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NORTH AMERICAN REVIEW.

No. CCXXVIII.

JULY, 1870.

Art. I. — American Art Museums.

When we note the active interest in the improvement of industrial art which has led, of late years, to the formation of museums in so many foreign cities, and estimate the progress made in English and Continental taste through their influence, we are tempted to hope that there is a future in reserve when conformity to the laws of beauty will again be obligatory, not only in buildings, pictures, and statues, but also in all objects of daily use. The rich heritage of beautiful forms of every kind and shape which the past has left us is now made to minister to the enjoyment and education of the people, and thus taste, which formerly could only be cultivated by the great and wealthy, will gradually permeate the masses, and bring about the time when the artist and the artisan shall once more join hands and raise its standard to a generally high level. In antiquity and the Middle Ages this was accomplished in other ways; for although there were no public museums, and the people had no access to works of art in the halls and porticos of private dwellings, the temple and the cathedral, the squares and streets of great cities, teemed with masterpieces which, though not collected together for that purpose, were active agents in cultivating public taste.

The Greek temple, where all the arts of design were united for a common end, was a complete and harmonious entity,

whose component parts were form, ornament, and color. Sculpture gave life to the whole edifice and told its story through speaking forms, which kindled enthusiastic reverence in the worshipper as his eye wandered from the pediment to the metopes, followed the circling frieze, and at last rested upon the majestic figure of the titular deity within the cella, which looked, says a Greek poet, "as if the god had come down to earth to reveal himself to the sculptor, that he might represent him as he is." Painting brought out the varied lines of the architecture, gave relief to the groups between the triglyphs, marked the folds of the draperies, and rendered every detail of ornament distinct and clear; while architecture, holding the decorative arts in its firm grasp, served as a framework to display their beauties to advantage, and borrowed from them a grace which enhanced their special perfections. The warrior's shield suspended to a column, the embroidered "peplos," the great silver bowl made out of the tithes of the spoils of a battle-field, and the painted vase placed within the sanctuary, though detached from the building, were yet a part of its organism as consecrated offerings, and contributed their quota to the general charm; for, in accordance with a high standard of perfection, they were all beautiful in form and in ornament. As the temple in antiquity, so the cathedral in the Middle Ages, taught the multitude to appreciate art through the many forms of beauty which were brought together for its embellishment. The altar was resplendent with utensils precious in material and beautiful in shape; the walls glowed with frescos; the pulpit and the font were storied with bas-reliefs; the pavement was enriched with mosaics, the windows with colored glass; the roof was fretted with rich carvings, and even the topmost pinnacle above it, which shot up into the blue sky like an arrow suspended in its flight, bore upon its summit the statuette of an angel or a saint, often finished with the same care as if its details were to be daily scanned by mortal eye.

Time and iconoclasts of every creed and nation have combined to break up and deface many of these glorious units. The gems of art which adorned them are torn from their settings, and like living members of a dead organism are

gathered together in galleries and museums, where they serve an end foreign to that for which they were created by cunning hands long since stiffened and still. Once priests and servants of religion, they are now our masters in æsthetic cultivation, and grouped in strange company with a thousand objects made for military and household use, whose only common element with them is that of beauty and fitness, serve to imbue men's minds with correct principles of taste, and to raise the decorative and industrial arts to a higher level than they could ever reach without such aid. Where they are seen this is fully recognized, and where they are not, the low standard of taste and attainment in art proves how impossible it is to advance without them. Those who feel this would hesitate to believe that any highly civilized nation could long remain indifferent to their acquisition, especially if that nation should show itself peculiarly alive to the importance of all other educational influences; and yet such is the case in America, for the simple reason that appreciation of such objects has not been cultivated by familiarity with them.

Men naturally ignore the value of things to which they are unaccustomed. "Experientia docet" is a trite proverb of universal application. Creatures of habit, with but few longings for the unknown, we seldom recognize the narrowness of our habitual range of thought and sympathy until, perchance, some higher and nobler field of activity is opened to us; then as we gain glimpses of an upper life hitherto shut out from our range of vision we look back with wonder at our previous state of indifference. A single example will suffice to show that this is as true of communities as it is of individuals. Twelve years ago the citizens of New York lived contentedly without the Central Park, and those of Boston without the Public Library, just as they are living at the present day without such Art Museums as have been lately projected in both cities. Years hence, when they shall have learnt their value by experience, we may safely predict they will feel about the last as they now feel about the first. How did we live without them? they will say, and how vigorously would we resist any attempt to deprive us of them!

In view of the great progress made in public taste as regards

music, we may fairly believe that appreciation of the sister arts would follow upon a similar course of effort in their behalf. If we compare, for example, the Boston of thirty-five years ago with the Boston of to-day, we find that solid musical progress has been made. Then some of the Symphonies of Beethoven were first *played* by an ill-drilled orchestra to a handful of willing but unenlightened listeners in a small theatre, now they and kindred compositions are regularly performed before large audiences in a fine Music Hall. Then good organists and pianists were rare, now they are many, and public musical instruction, which was then unknown, is now well systematized. Through these means a standard of taste in music has been formed, and the public has gradually learnt to distinguish the noble from the ignoble, — the music which satisfies the highest cravings of the spirit from that which addresses itself only to the sensuous part of man's nature. As it has learnt to estimate the relative value of Mozart and Bellini, why should it not learn to estimate that of Raphael and Carlo Dolci? As it can now assign their right places in the scale of excellence to Beethoven and Donizetti, why not then to Phidias and Pradier? There is evidently no reason for our knowledge of music, but the simple one that our taste for it has been cultivated in the right way, nor any reason for our ignorance about other forms of art, except that we have been cut off from all means of enlightenment about them. We say other forms, for art is a unit, not a multiple, acting upon a unit, the spirit of man; and forms of art are but different manifestations of one and the same thing. The question is only one of different modes of action on the one hand, and of different avenues of reception on the other; music, architecture, poetry, sculpture, and painting are but palpable modes of transmitting the thoughts of one mind to other minds, and whether these be conveyed through sounds or stones, verse, marble, or color, the object of art is to move, raise, and instruct us, to take us out of ourselves, and thus make us share for a time in the lofty dreams of the privileged few who are called the sons of genius.

Some of us are by virtue of special aptitudes more open to the influence of music, others to that of sculpture or of paint-

ing, and yet none will claim that the art which speaks most forcibly to his nature is greater than any other or more worthy of cultivation in the abstract. We must seek to look at art in a broad way, not from the subjective but from the objective point of view, and value all arts as alike means to a noble end. Something has been done for music in America, now we must do as much and more for other arts, both because of their elevating effect upon us as a nation, and because through them we may give a hitherto unknown value to our industrial products. This can only be done by the organization of comprehensive museums, which will raise the standard of taste, furnish materials for study to artists and archæologists, affect industry, and provide places of resort for the general public where amusement and unconscious instruction will be combined.

All will agree that these aims are highly laudable, and that such institutions are the only possible agents for their accomplishment, but there is a great difference of opinion as to the objects with which Art Museums should be filled. The purpose of this article is to suggest what these should be, and to show how they can be so efficiently organized as best to accomplish the great work to be done, their office being, as it seems to us, before all else educational.

Human judgment being fallible, we often miss the right road towards a desirable end, even with the best intentions, but there are some cases, of which the present appears to be one, when it lies so plainly marked out before us that we have ourselves only to thank if we blunder and go wrong. If museums are to be made invalid hospitals for poor pictures and many other sorts of rubbish bestowed upon them by persons of doubtful judgment, their action will be highly deleterious; but if, on the contrary, they are what they ought to be and can be made by the exercise of judgment, firmness, and common sense, they cannot but be in the highest degree beneficial in their effects upon all classes of the community.

Many persons when talking about an American Museum have a dim idea of another Louvre or National Gallery, whose walls are by some miraculous process to be speedily covered with Raphaels and Correggios, and whose sculpture galleries

are to be lined with ancient and mediæval masterpieces; others again think that, as it is a good thing to encourage native talent, it ought to be for the most part filled with American pictures and statues. Now, however much we may admire the high aims of the first and the patriotic motives of the second, we agree with neither party. Not that we undervalue Raphaels, Correggios, and Greek marbles, or that we are incapable of appreciating the solid qualities of a Hunt or a Kensett, or wanting in esteem for so excellent a group as Ball's equestrian statue of Washington, or Story's Cleopatra, our reasons are simply, that the first are entirely out of our reach, and that, whatever their merits, the second are not fit implements for the instruction of a nation in art.

Have the ambitious spirits who propose to us the nectar and ambrosia of art any conception of what sums we should have to pay for such celestial food? Are they aware that the English, French, and Bavarian governments have gained their marbles, bronzes, terra-cottas, and vases by fitting out expeditions to Greece, Asia Minor, and Egypt, under the direction of men trained from their youth up in archæology and art, and empowered to hire excavators, and bribe princes, paying them sums which would make Wall Street or State Street shudder? Do they know that the sale of a real Raphael is an event in Europe whose probability is known long beforehand, so that on the appointed day the privilege of buying it is eagerly disputed by the directors of all the great galleries north of the Alps? Do they know that the National Gallery paid seven thousand pounds for the Suermondt Rembrandt, and eight thousand pounds for the Garvagh Raphael; that the Delessert Raphael was considered by many to have been given away to the Duc d'Aumale at one hundred and sixty thousand francs; that the Louvre paid six hundred thousand francs for the Assumption of the Virgin by Murillo; that the Congress of Munster by Teniers — a little picture about a foot and a half long by a foot high — was bought in at the Hôtel des Ventes after a well-known director had bid it up to one hundred and eighty thousand francs? And if they know these facts, and fifty more equally telling, how do they propose to raise the money for purchases

of equal magnitude, in a country which has as yet no large class of persons who value art sufficiently to be willing to give immense prices for masterpieces? Where will they find the means (even if they could find the men capable of doing what Botta and Layard did at Nineveh, Newton at Halicarnassus, Lepsius in Egypt, or Sir Charles Fellows in Lycia) to fit out expeditions in the service of art and archæology to distant countries?

Let us imagine for a moment the distinguished Senator from Massachusetts, who has more than once courageously opposed the wasting of the public money upon persons manifestly unfit to be charged with the execution of national art projects, rising from his seat to propose the appropriation of a large sum for an expedition to the buried cities of Central America, with the purpose of bringing back to Washington casts of those curious temple bas-reliefs which are fast perishing in the green wilderness. What answer would he inevitably receive? Certainly a very different one from that given to Mr. Fergusson in England when, after he had drawn attention to the curious sculptures which had long lain neglected at the India House in London, he asked for a grant to be used in sending out fit persons to India to take casts of the Budhist Tope at Sanchi, and of other valuable monumental sculptures in the interior of the country. And yet the sculptures at Palenque are of the highest value as examples of the art of an unknown period and people, and as such would long ago have been rescued from destruction had they been within the reach of any European government. Or again, what would Congress say if it were asked to spend a tithe of the sums granted last year by Parliament for the support of art institutions in Great Britain? as, for example, £ 53,095 to the South Kensington Museum; £ 113,203 to the British Museum (which sum, it is true, was spent upon all its departments); £ 15,978 to the National Gallery, and £ 49,724 to numerous art schools scattered over the three kingdoms; making a total of £ 232,000, — considerably over a million of our money. Congress would say No, and very rightly, because the nation whose will they execute would consider any such appropriation illegal and absurd. That there are persons in all parts of the Union who have a love of

art, and who know what good art is and estimate its mission rightly, is certain; but we may safely say that as a nation we should be totally indifferent if all the works of art in the world suddenly vanished into space, provided a few chromo-lithographs were left to hang upon our walls, and a few French bronzes to put on our mantel-pieces.

Americans are well known in Europe as purchasers of rare and costly books, but they have no such reputation in regard to works of art, nor will they gain it until they have Art Museums in their own country to refine and elevate their taste. That we shall have them, and without the expenditure of immense sums of money, there can be no doubt. Not, indeed, ideal and impossible museums, filled with masterpieces of original art, but museums mainly composed of reproductions of statues, architectural fragments, monuments, gems, coins, inscriptions, &c., &c. These will answer our purpose, *as we aim at collecting material for the education of a nation in art, not at making collections of objects of art.* That must be done at a later stage of national development, when we are willing to pay for them. As our museums must be filled with reproductions, pictorial art can for the present be but scantily represented in them, for good copies of pictures are rare and very costly. A good cast of an antique statue, the impress of a coin or a gem in plaster or sulphur, is a *fac-simile* as far as form is concerned, but the copy of a picture is an image of the original reflected through the mind of the copyist, and more or less imbued with his personality, — either it is defective in expression, drawing, or coloring, and in some of these particulars likely to lead the student into error. We had far better purchase small water-color copies of celebrated paintings and frescos, or sketches made in the fresh enthusiasm of an hour spent before them by some clever artist, or photographs which faithfully reproduce their composition and spirit, than any labored copies which aim at identical repetition in size and material.

In saying that casts and metallic reproductions must form the staple of our collections, we do not mean that they are to be chosen hap-hazard from the originals in the Vatican or British Museum, and ranged without system. This would greatly lessen

their utility. What we want is a representative collection which shall illustrate the rise and progress of the arts and their gradual decadence. For this purpose the examples in each department must be arranged chronologically, so that the professor of art and archæology may use them to point out the broad differences between the sculpture of Egypt and Assyria, may demonstrate in what measure each influenced early Greek sculpture without stifling its innate freedom beneath their own hieratic or courtly systems, and may show the differences between Pre-Historic, Archaic, and Phidian art, art of the Macedonian and Roman periods, pointing out as he proceeds how and why sculpture steadily progressed until it culminated in the age of Pericles, and as steadily declined until it almost died out in the Dark Ages, then rose again in the Middle Ages from Niccola Pisano to Donatello, and fell away through the splendid extravagances of Michael Angelo and the corrupt principles of his successors.

So also by means of a progressive series of architectural casts the professor should be enabled to explain the history of the five orders, here pointing out to the student the Proto-Doric columns from Beni Hassan, and the progressive changes in Greek Doric from the temple at Corinth to the Parthenon, and there tracing back the graceful Ionic to the Lycian tombs. By like means the numismatist should be enabled to discuss the coins and medallions of peoples, cities, and kings, and point out their variations in Greek and Roman examples; while the ethnographer should have casts of Persian, Egyptian, and Assyrian bas-reliefs and statues at hand as material for the comparative study of races, and the palæologist the inscriptions gathered from many parts of the world to explain the distinctive peculiarities of monumental writing.

The eminent German professor of archæology, Dr. Heinrich Brunn, who has the precious collection of marbles at the Glyptothek under his charge, has been lately urging upon the Bavarian government the importance of forming a complete collection of casts at Munich, and but for the inopportune death of King Louis would before now have succeeded in his object. In the pamphlet which contains an exposition of his views upon this subject, the learned Professor says that, "Solid and thorough

study is impossible without an acquaintance with works of all kinds, the originals of which are widely scattered. This acquaintance can only be obtained through plaster casts, which in most respects supply the place of originals, and cannot be dispensed with even in presence of the originals. Without them the professor of archæology cannot illustrate his lectures, and their importance is so generally felt, that since Welcker founded the collection at Bonn every German university has at least partially followed the example." Among the many studies which are facilitated by casts is that of mythology, for only when we see all the most remarkable representations of gods and heroes placed side by side, can we estimate the sum of qualities which were required to make up the ideal of deities and deified men, and trace the progress made towards a perfect and final type both in character and in technical quality. Again busts and portrait statues of eminent men are useful, not only to the archæologist, the philologist, and the ethnographer, but also to the classical scholar, since through the outward form the inner man is revealed. While he is thus enabled to enter more completely into the spirit of an author's works, he can at the same time study the characteristic differences of race and outward types of genius, and better comprehend the relation between periods of time (as, for instance, between the age of Pericles and that of Alexander) and the physical and spiritual antagonism of Hellenism to Romanism.

In casts of statues and busts the technical differences between the method of working in marble or in bronze can be studied; while in architectural fragments, such as columns, bases, capitals, and ornament, the arts of building and decoration in different countries can be traced, variations in taste followed up, and power to distinguish between excellent and vicious styles be attained.

In order to give an idea of a good collection of Greek casts, intended to illustrate the history of sculpture in Greece, we subjoin a list of casts classified under seven heads, premising that, as it is framed upon the apothegm of Seneca, "Primus habere quod necesse est, proximus quod sat est," it is simply representative, and in no wise aims at completeness.

1*st Class.* — *Pre-Historic*, i. e. composed of works prior to the first Olympiad (B. C. 776); and *Dædalic*, i. e. of the period embodied in the name of Dædalus, when the first signs of progress appeared. The colossal Lions from the gate at Mycenæ illustrate the first; the Apollo of Thera and the Apollo of Tenea from the Theseion at Athens, the second. These statues are certainly not later than the middle of the sixth century before Christ.

2*d Class.* — Examples of early Greek or Archaic works, showing study of the human form in action, elaboration of drapery, and attention to anatomical detail, such as: 1. The bas-relief of Agamemnon and his heralds, found in the island of Samothrace, now in the Louvre. This is the oldest Greek bas-relief known. Judging by the inscription, it belongs to the seventh century B. C. 2. The stele of Aristion, commonly called the soldier of Marathon; 3. A seated Minerva. 4. A Goddess mounting a chariot, now in the Theseion at Athens. 5. The earlier reliefs from the temples at Selinus in Sicily. 6. Sculptures from the temples and tombs at Assos, Miletus, and Xanthus. These works represent Greek sculpture up to the fifth century B. C. 7. The far-famed Ægina marbles from the temple of Zeus Panhellenius, made in the early part of the fifth century B. C., which may be regarded as the basis of all future progress in sculpture.

3*d Class.* — The age of Pericles, i. e. the second half of the fifth century B. C., when sculpture under Phidias and his scholars attained its highest point of excellence. *Examples:* the pediment statues, metopes, and frieze of the Parthenon; the caryatides of the Pandroseion; the bas-reliefs of the Temples of Theseus and Nike Apteros at Athens; the alto-reliefs from Phigalia and Olympia; the Discobolus and Marsyas of Myron, the Doryphorus and Diadumenos of Polycletus, of which copies exist; and numerous Attic steles and votive reliefs.

4*th Class.* — The age of Alexander, fourth century B. C. *Examples:* Casts from the originals, and Greco-Roman copies of the works of Scopas, Praxiteles, and Lysippus, such as the bas-relief of the marriage of Neptune and Amphitrite in the Glyptothek, the Halicarnassian and Xanthian marbles, the

Flute-player, the Apoxyomenos, the reliefs from the Choragic monument of Lysicrates, &c., &c.

5*th Class.* — Greco-Roman period, comprising works made by Greeks under Roman influence, such as the Toro Farnese, the Laocoön, the Knife-Grinder, the Augustus, &c., &c.

6*th Class.* — Roman works, such as reliefs from the Column of Trajan and the Arches of Titus and Septimius Severus and Constantine.

7*th Class.* — Supplementary, composed of Egyptian, Assyrian, and Etruscan works, important for the comparative study of styles and schools, as bearing upon the development of Greek art.

It is hardly necessary to say that a complete collection of casts comprehending all Greek works known to us by originals or through copies would be very much more extensive than this, which is hardly more than typical. By typical, we mean composed of such works as give a sufficient idea of the style of an epoch which, reduced to a minimum, could be illustrated by an architectural fragment (be it cornice, capital, or frieze), a bas-relief, a statue, a bust, and a certain number of coins and inscriptions.

In an American museum we should have examples of architecture, sculpture, coinage, and palæography, in ancient and modern times, from the Pyramids, B. C. 4235, down to A. D. 1700. The ancient world of art should be represented by casts of works from Egypt, India, Persia, Phœnicia, Assyria, Asia Minor, Greece, and the Greek islands, Etruria, Rome and her colonies, as also of those produced by the Teutonic, Celtic, Scandinavian, and Gallic races; the mediæval and modern world by casts of art works in Italy, France, Germany, and England. Of architecture in these four countries we should have casts from parts of Gothic and Rennaissance buildings down to Palladio's time; of sculpture, casts of Italian works as late as John of Bologna; of French down to Jean Goujon; of German to Peter Vischer and Adam Krafts; and of English to the end of the Gothic period.

The great European collections furnish us with examples of the best modes of lighting, placing, and classifying casts. The two largest are at Berlin in the New Museum, and at Paris

in the École des Beaux Arts; the best arranged is that at Dresden.

The Berlin casts completely fill the first story of the New Museum, with the exception of the great hall in the centre of the building. They comprehend an immense number of antique and mediæval works which, if arranged chronologically, would constitute an almost perfect model for an American museum of the same kind. The catalogue, which is well entitled by its author, Dr. Friedrichs, *Bausteine zur geschichte der griechish-römischen Plastik*, contains the names of about one thousand antique works, with a short historical, archæological, and critical notice of each, forming a history of Greek and Greco-Roman sculpture of the most instructive kind.

The Dresden collection, though much smaller and far less comprehensive, as it contains only casts from the antique, affords better opportunity for study because its arrangement is chronological. In the Preface of its excellent catalogue the director, Dr. Hettner, truly says "that he who wanders from statue to statue follows the history of sculpture from its beginnings. He passes from Assyrian, Egyptian, and Etruscan sculptures to early Greek works; then comes to those which illustrate the acme of the art in the age of Pericles, sees the first signs of decay in the still splendid productions of the Macedonian epoch, and its consequences in the Greco-Roman decadence." Thus sculpture may be studied historically, archæologically, mythologically, and artistically, with profit and pleasure in proportion to the knowledge and taste of the visitor.

Neither at Berlin nor at Dresden are there any architectural casts, and in this respect the collection of the École des Beaux Arts at Paris surpasses its rivals, as also in that it contains many casts of early Greek works not known out of Athens. The architectural casts of the same size as the originals produce an admirable effect; among them are the portico of the Pandroseion, with the cornice, the base, and the four Caryatides, and the whole of the Choragic monument of Lysicrates. When this collection, which has lately been greatly enriched by a series of casts brought together by M. Ravaisson, is catalogued and

placed chronologically it will undoubtedly stand at the head of all others, and the effect produced by the casts placed in the great central hall, which is of immense height and lighted from above, will be in every respect admirable.

We may here remark that a vertical light, unless it fall from a great height into a court of very exceptional size, is less favorable for the display of casts than an upper side light, by which in a long, low gallery the light is more equally diffused. The color of the walls should be a warm gray, into which the outlines of the casts will melt softly away. Pompeian red, which is the most agreeable of all hues as a background to pictures, forms too sharp a contrast with the crude white of a plaster cast. This should be toned down by any of the substances employed by plaster casters, except paint, which masks the delicate shades of modelling, and destroys all sharpness of detail. Linseed oil very much boiled down hardens plaster, and gives it a golden tone somewhat like that of old Attic marbles long exposed to the sun and air. A preparation of stearine is also excellent for this purpose, being perfectly transparent, and like linseed oil allowing the cast to be washed without injury.

The sculpture galleries at Berlin and Dresden, which are very inferior to those at Paris and London, needed to be supplemented by proportionately large and comprehensive collections of casts. Even in Paris, where the Louvre is so rich in original marbles of every age and country, a student of art has constant occasion to visit the casts at the École des Beaux Arts in order to trace the shades of progress through styles and schools. The collection of casts at Sydenham is not comparable to the great Continental collections, but this is a matter of comparatively little importance, considering the wonderful and unrivalled facilities offered in the galleries of the British Museum for the study of ancient originals in every form of art. For mediæval works the student must betake himself to South Kensington, where many marbles and casts of great interest are collected.

It will be seen that no one of the museums of which we have been speaking offers a perfect example of what the American museum should be. Some contain only casts from the antique,

others only casts from works of the Middle Ages. Some are without architectural casts, inscriptions, coins, and gems, and this because they are generally supplementary to galleries of original works. As we have none of these, we must do wholly what European governments have done partially, and make up in completeness for our poverty in other respects. Nor when we have done so can we be called poor, since we shall have what we need, and shall have shaped our desires to attainable objects. "Non qui parvum habet sed qui plus cupit pauper est."

In our day the universal aim is to make art bear upon industry, and how it may best be done is everywhere the object of study. In England, all over Germany, and in Russia, museums of industrial art and art schools have been founded, and though it is only nineteen years since England took the lead in this great movement, the most astonishing effects have resulted, and France trembles lest her long-acknowledged superiority in all those branches of industry which are affected by the arts of design should soon be among the things of the past.

A late French writer, in speaking of the inferiority which ignorance of art gives to the products of a nation, points out the one acknowledged remedy, namely, the intellectual cultivation of the workman, and his special instruction in professional schools of design. This conviction, which had been forced upon public attention at the first Great Exhibition in 1851 by the manifest inferiority of English and Continental products to those of France, led to the foundation by Prince Albert of the South Kensington Museum, as a centre of education in the arts of design for teachers and pupils throughout the whole kingdom. Four years later English goods were signalized in M. du Sommerard's Report to the French Jury "as worthy of the highest praise for their sobriety of ornament." In the Report upon the Exhibition held at Paris in 1861, M. Merimée stated that "English industry has made prodigious strides within the last ten years," and his fellow-jurors acknowledged that this progress was due to the action of the Kensington Museum. They furthermore declared that if France would keep her place at the head of other nations as the mistress of taste,

the system of instruction hitherto prevalent in the schools of design at Paris must be completely reorganized. This reorganization was effected in 1863, when there were only three thousand pupils in these schools, towards whose support the city contributed three thousand francs a year; four years later the number of students had increased to twelve thousand, and the sum contributed to three hundred and twelve thousand francs. That France had need to strain every nerve in the cause cannot be doubted in face of the fact that, owing to the improvement of taste in the manufacture of earthenware, porcelain, glass, and carpets, the export trade of England in these objects had increased to the amount of seventy millions of dollars between 1855 and 1866.

As our object in this article is to give such information upon the subject of museums as may be useful to those who are called upon to organize similar institutions in this country, we shall now proceed to give some account of the organization and aims of the most remarkable European examples, as well as of the character of the objects with which they are filled.

To begin with the South Kensington Museum, which is the prototype of the Continental museums, and the model upon which most of them have been formed.

An annual sum, which last year amounted to fifty thousand pounds, is voted by Parliament for the support of this institution, and administered by the Minister of Science and Art, with the advice of a Committee of the Council of Education. The chief officers of the Council are a President, a Vice-President, a Secretary in chief, and a Director. There are also general inspectors connected with the Museum, as well as examiners of different grades, professors of both sexes to teach mechanical and architectural drawing, perspective, ornamental and figure drawing, anatomy, modelling, etching, mosaic, &c., &c., and agents for the sale of models. Gratuitous instruction is given, and in some cases pupils are even paid for their attendance upon courses of teaching. Examinations are held and followed by the distribution of recompenses, diplomas, and dotations. Encouragement is also given to the formation of schools of art in cities, towns, and villages throughout the

United Kingdom, on the single condition that they shall submit to the occasional visits of inspectors and examiners sent by the Science and Art Department, and larger or smaller subventions are given according to the progress made by the pupils. Ambulatory collections, composed of reproductions of statues, drawings, and enamels, and of engravings and photographs, together with circulating libraries of books calculated to develop the taste and knowledge of artisans, are sent from Kensington to towns which would otherwise be out of the reach of works of art. The professors are educated in the National Art Training School at Kensington, for side by side with the most elementary instruction superior instruction is also given. After submitting to certain examinations they receive a certificate of the second or third Grade from the Science and Art Department.

The Committee subsidizes instruction in elementary drawing in the schools for poor children, as well as in special schools, in its own Normal School, and in gratuitous night classes for artisans. It gives fifty per cent upon the cost of models for art schools, and pays about fifteen shillings a head towards the instruction of beginners, which sum is doubled to those who profit by it, and tripled to those who pass a good examination. If the artisan has paid for instruction, he receives from the Committee the sum of ten shillings for every drawing executed within a fixed time and favorably reported. After four examinations he gets a diploma of the second degree, and is allowed to teach in the poor and night schools. Every pupil who executes a good drawing of a useful or ornamental object in the school within the year receives a prize of sixteen shillings. Once a year a national competition, in which all the schools in the kingdom take part, is organized at South Kensington. Ten medals of gold, twenty of silver, and fifty of bronze are distributed among the authors of the best drawings, and pensions from the Princess of Wales' Fund are given to the two best female pupils.

The Museum is so well known to the American public, through the many descriptions that have been given of it, that it will not be necessary to enter here into any minute account of it. Its able Director, Mr. Cole, in an introductory address

delivered thirteen years ago, happily characterized it as "a book with its pages always open." "By the system of labelling," he says, "everything has been made instructive, and what would have been otherwise passed unheeded or despised has become a subject of interest. Thanks to this system, the poor man is not obliged to provide himself with catalogues in order to understand what he is looking at."

The living organism of which we have been speaking is indeed a wonderful creation. We say "living" with intention, for when there we see its directly productive agency in the frescos and mosaics by English artists which decorate its inner walls, and in the terra-cotta ornaments with which its façade is enriched. We see, in short, the seed, the tree, the flower, and the fruit. Year by year it grows with fabulous rapidity, for it is constantly receiving into its ever-increasing area new treasures of art, either on loan or through purchase, all of which when multiplied by the many processes of reproduction, are sent forth in plaster, electrotype, or photograph, to enrich the minds and cultivate the tastes of men who might else have remained ignorant of beauty as revealed in art. Nobly planned and wisely carried out, it stands the worthiest of monuments to the high-minded Prince who founded it, and when time shall have done its work upon all other Albert memorials, will still remind the English people of his many claims to their grateful remembrance. The fruits of the initiatory step which he there took are also found in every part of the Continent. The Exhibition of 1862, and the Great Exhibition of 1867, which brought the products of all nations face to face, and gauged their relative value, taught the Continental nations the important lesson that institutions like the Kensington Museum have power to bring industry up to a high artistic level. France, which had opened gratuitous schools of design nearly a century before England, felt compelled in self-defence to reorganize them completely, and many leading manufacturers, artists, and connoisseurs were induced to found the Central Union of Fine Arts applied to Industry. This institution is not an acknowledged agency for the development of industrial art through schools of design throughout the empire, and exercises no supervision over those superior

and professional schools at Lyons, Mulhouse, St. Etienne, Rheims, and Limoges, whose aim is to influence certain special fabrications. It operates indirectly, nevertheless, upon the whole country by periodical exhibitions, which are of two kinds; the first consisting of premiated productions of the chief schools of design in Paris and the departments, and of articles of modern manufacture which directly illustrate the effect already produced by foreign art upon native industry; the second, of works of art borrowed from private collections; of this kind was the splendid Oriental Museum opened for a short time last autumn in the "Palais de l'Industrie," where eight great galleries were filled with the choicest specimens of Chinese, Japanese, Indian, and Persian art and manufacture.

We note among the last items of art news from Paris, that the "Union Centrale" now proposes to further the cause of industrial art by public lectures, courses of study, publications, prizes, international exhibitions, and by aiding provincial committees in the organization of exhibitions. During the above-mentioned Oriental Exhibition it organized an International Congress, which passed several important resolutions concerning public instruction in the arts of design. One among these aims at making preparatory studies in drawing a part of primary instruction, and drawing obligatory in the public schools; another at developing the sentiment of art through the formation of educational museums in cities, towns, and villages, and the establishment of Normal Schools in which professors could be formed.

The need of some such body as the English Science and Art Department, charged to recognize and reward provincial schools and to impose a system of instruction, has been also felt in Germany, and shows itself there amongst other ways in the disagreement between professors as to the best methods of instruction, and in the consequent substitution of personal systems. Thus in one school the graphic model is esteemed, in another pupils are allowed to draw only from the round and to model after drawings. The system set forth in the programme of the Paris International Committee is, that the young pupil should learn the alphabet of forms from elementary geometrical mod-

els, and from the most simple and common objects; that oral explanation by trained professors should be given, and that the reduction or amplification of the model (i. e. *l'interpretation raisonée*), drawing from memory, and facultative choice of means of execution, should take the place of a servile and textual imitation of the graphic model. The Committee also wisely deprecated the copying of engravings or lithographs, as likely to lead the pupil to the study of picturesque effect, that is, the accidental character, rather than to that of form, which is the permanent character. At Molenbeck Saint Jean, a suburb of Brussels, there is a school frequented by three hundred artisans, who begin by drawing for several months upon the blackboard. When they have learnt to draw in a broad style without consideration of detail, they are allowed to use paper. The great object to be attained is to educate the eye, to train the hand, and to strengthen the memory. Where primary instruction is concerned, we know of no better system than that of Professor Louis Bail, of the Scientific School at New Haven, whose drawing charts carry the pupil on from the dot and the straight line to complicated forms of ornament, teaching him to measure correctly by his eye whatever object is placed before him, and requiring him to reproduce it again by memory when it has been removed.

The country where the South Kensington model has been most directly imitated is Austria, once the land of everything retrograde, and now in the vanguard of progress, as she has proved in regard to the cause of industrial art, by making drawing obligatory in all her public schools and by creating a People's Museum at Vienna. It was at the Exhibition of 1862 that Austria perceived her weakness and learnt the remedy for it. The report made by M. d'Eitelbergher, her commissioner to England, and his articles in the leading journals immediately awakened public attention, impressed all classes with the necessity for active measures, and induced the Emperor, on the 7th of March of the following year, to decree the formation of a Museum of Industrial Art.

As no building fit for the purpose then existed, his Majesty placed a portion of the Imperial "Ball Haus" at the disposal of the Provisional Committee. Three rooms on the ground-

floor were appropriated to contain the objects loaned by the Emperor and by public institutions, together with those purchased; a fourth was reserved for a library, and a fifth for readers and draughtsmen. Photographic and modelling studios were established on the first story. Since the 21st of May, 1864, when the public was first allowed to avail itself of these new sources of pleasure and instruction, the collections have increased out of all proportion with their temporary place of deposit, and their importance will not be fully estimated until they are removed to a new and splendid building, which will be ready to receive them in the spring of 1871. Among the permanent objects now exhibited are a portion of the Bock collection of textile fabrics illustrating the history of weaving from the seventh century up to the present time; the Friedland collection of French *faiences* dating from the seventeenth century; two hundred vases found in the Necropolis at Cære; twelve hundred fragments of ancient glass, and a large number of Venetian and German glasses, from the sixteenth to the eighteenth century. There are also many Limoges and Chinese enamels, Oriental arms, &c. The objects exhibited in the Loan Museum are retained for six weeks, a portion being removed from it at the end of each week. While they remain there they are grouped together so as to illustrate as far as possible phases and schools of art. But what concerns us most in the matter is the excellent practice of the directors to have all these loaned objects reproduced, together with those in the permanent collections, in order to make them universally useful through ambulatory museums which are sent to different parts of the empire, together with books upon decorative art. These are features directly borrowed from the Kensington Museum, which the Austrian also imitates in keeping up a general supervision over provincial schools of art. The Vienna Museum is administered by a protector, a council, and a director. The protector names the members of the council out of all classes of amateurs. The council forms plans for the development of the museum, and gives advice to the director concerning purchases for it, &c., &c., without fettering him in its immediate administration.

The Museum at Moscow is, like that at Vienna, a child of

the Exhibition of 1862. It was projected in the same year, decreed by the Emperor two years later, and inaugurated in April, 1868. We learn from an article by M. Natalis Rondot to the *Revue des Deux Mondes*, that it was established on the plan which he had traced some years earlier for an industrial museum at Lyons. Its aims are analogous to those of the institutions of which we have already spoken. One of its most interesting and peculiar features is a collection of old Russian objects of art, the greater part of which have been reproduced by casts and drawings, and explained by M. de Boutowski, Councillor of State and Director of the Strogonoff School, in his grammar and history of Russian ornament, which, according to M. Rondot, "springs from two different sources, the one national and invariable, the other western, that is, French or German, and consequently unstable and subject to the caprices of fashion. Old Russian art, which has certain analogies with Byzantine and with Asiatic art, is original and little known in Europe."

The Museum at Moscow is divided into three departments, — Art proper, Industry, and History. The Art Department is filled with copies of the finest works, classed by nations and epochs, chosen with a view to show the style and system of ornament of each nation and period in what it has produced of the best quality.

The Industrial Department is divided into three sections; the first is consecrated to artistic industries, sculpture upon wood, ivory, and stone, goldsmiths' work, pottery, enamel, furniture, &c., &c.; the second to stuffs and fabrics, and the third to machines. Each section is subdivided into ancient products and modern products.

The Historical Department offers examples of Russian ornament from the tenth to the eighteenth century; some are reproduced by casts or galvano-plastic, others by colored drawings, engravings, and photographs of manuscripts, enamels, "nielli," personal ornaments, cups, plates, arms, trappings, stuffs, and furniture, as also of reliquaries, vestments, and vases for church services, taken from the originals preserved in the ancient cathedrals of Vladimir, Novgorod, and Souzdal. The collections have been increased by purchases made in all parts

of Europe and by donations of great value. The Museum possesses a valuable library of books upon ornamental art, a cabinet of drawings and engravings, and collections of flowers, plants, birds, and insects, remarkable for beauty of form or color. This latter feature is, so far as we know, peculiar, and assuredly very worthy of imitation in museums which aim at developing taste in industrial art. From the nature of the country to which it belongs, the Moscow Museum is limited in its action. Ambulatory exhibitions, circulating libraries, and dependent industrial schools are well adapted to England and Austria, but not at all suited to such half-civilized countries as Russia. For other reasons these features have not been adopted by the administrators of the National Museum at Munich and the German Museum at Nuremberg. The industrial schools at Munich are preparatory for admission to the Munich Academy, and, like the famous Kreling school at Nuremberg, are quite independent of the Museum. While the Austrian Museum acknowledges the common origin of the fine and the industrial arts, and thus proclaims the unity of art, it separates general and special instruction, considering the first to be sufficient for artisans and the public, and the second, that is, a more complete and higher system of training, to be necessary for those who aim at invention. In Bavaria, on the contrary, says M. Muntz, the aim of the industrial pupils "is rather to invent and create new forms than to gain inspiration from the masterpieces of the past."

The Bavarian museums are both historical; that at Munich illustrates the arts, manners, and customs of Bavaria, that at Nuremberg those of all Germany. The first, which was projected in 1853 by M. d'Aretin, the eminent historian and archæologist who devoted the last thirteen years of his life to its formation, was to have been named the Wittelbach Museum, but as the king desired that it should not be confined to antiquities connected with the royal house, it was called the National Bavarian Museum, in order more clearly to indicate its universal character. All objects not absolutely needed for the use of the court were removed to it from the royal castles; original monuments were bought up throughout the kingdom, and where these were not to be obtained casts were taken of

them, that the chain of illustration might be complete. Beginning with Roman antiquities, such as a mosaic pavement, milestones, "cippi," altars and terra-cotta lamps found in Bavaria, the visitor passes on to the Celtic and Carlovingian remains, weapons and household articles of the bronze period, gold and silver ornaments found in tombs, ivory caskets, fragments of glass, and figures of saints and symbolic animals in wood and stone. He then visits the Romanesque department, where reliquaries, ivory caskets, crucifixes, ecclesiastical vestments, such as the splendid Dalmatica of the Emperor Henry II. (formerly at Bamberg), statues and fragments from Wessobrunn, illuminated manuscripts, and some Byzantine paintings of the twelfth or thirteenth century (given to the Crown Prince Maximilian by the Patriarch of Constantinople), are collected. In the Gothic division, which is extremely rich in all sorts of works in stone, metal, and ivory, he will not fail to admire the stained glass windows, upon one of which, from the monastery of Seligenthal at Landshut, the donatrix, Elizabeth of Bavaria (who died there "in the odor of sanctity," A. D. 1314), is represented with Saints Andrew and John. In the upper story he will find carved ceilings of great beauty, especially that from the Town Hall of Augsburg, built in 1385, and an immense collection of suits of armor, pieces of furniture, weapons, portraits of celebrated personages, besides divers objects of artistic and historical interest belonging to the Renaissance epoch. Lastly, if he desire to study history in pictorial illustrations, he can wander through the long suite of rooms upon the first floor, where the walls are covered with modern paintings representing all the most remarkable events which have occurred in this small kingdom whose capital, through the cultivated taste and enlightened connoisseurship of the late King Louis, has now become one of the most noted places of resort for lovers of art in Europe. At Munich, everything was to be done when he ascended the throne, and upon his abdication, like another Augustus, he left a city of marble where he had found one of brick.

Unlike Munich, Nuremberg needed no princely patron to make it a museum of art. The builders, carvers, and artists of the Middle Ages had fashioned the quaint old home of Al-

bert Dürer and Peter Vischer, and here the king's task was to preserve existing monuments from destruction, not to create new ones. One more source of attraction was, however, to be added to the already richly endowed city. At the Archæological Congress held at Dresden in 1852, the Baron d'Aufsess exposed his long-cherished scheme of establishing a collection of material relating to German history, literature, and the fine arts, from the earliest times down to the middle of the seventeenth century, including an archæological and artistic library, and of rendering these treasures useful by publications, manuals, and other means. He offered to loan his own vast collections to the museum for a period of ten years. This noble project was received with enthusiasm, and Nuremberg was selected as the city in which it should be carried out. The next year Bavaria approved the resolution, and the Diet at Frankfort decreed that the museum should be called "National." Four years after its foundation it had become so prosperous, through the liberal gifts of King Louis and the kings of Bavaria and Prussia, that its directors were enabled to purchase the noble old Carthusian convent, where its collections, including those purchased from Baron d'Aufsess in 1864, are now arranged. Here are pictures, engravings, tissues, *faiences*, goldsmiths' work, medals and seals, the most remarkable of which have been reproduced in a series of drawings, photographs, and engravings, already 100,000 in number; 60,000 tracings and drawings illustrate secondary classes of art (as, for instance, all forms of the bed from Roman times to the present day), and the history of eminent persons is followed up through portraits, coats of arms, seals, and medals. At present such laudable enterprises are subordinate to the purchase of the masterpieces of the past, which are becoming more and more rare. The directors wisely spend their available funds in this way, because they know, to borrow the words of M. Muntz, that *when America shall enter into the lists*, they will no longer have the opportunity.

This reflection is one which, as Hamlet says, "should give us pause," at least long enough to express the hope that America will not wait until Europe shall have gathered all the harvest of the past into her museums. It strikes us the more,

because we have lately met with it elsewhere even more forcibly expressed. As, for example, in the *Chronique des Arts*, which counsels France to secure all French masterpieces for her national and municipal museums before America, recognizing the necessity of forming museums, shall compete for them and increase their already enormous value. "The day cannot be far distant," says the writer, "when the United States will desire to form collections, for it is impossible to admit that so intelligent a people can long continue to ignore the fact that the fine arts make men moral by raising them to a comprehension of the beautiful, and that they increase the wealth of nations by developing good taste in their artisans."

Accustomed to a central authority which has the power to lead, decree, and foster such institutions, we cannot wonder that Europeans are unable to comprehend our backwardness in imitating their example. They forget that individual exertion must here take the place of government action; that the will of many must be first influenced instead of the will of one, and that when this is accomplished we have no palaces and castles to supply us with works of art. They do not recognize that we are called upon to solve a new problem, and to discover some way of overcoming the obstacles which are created by our position.

The history of many ancient and mediæval cities governed by democratic forms, and actively engaged in commercial pursuits, proves that these are compatible with the utmost splendor of art attainment. Athens, Argos, and Samos in antiquity, Florence, Venice, and Genoa in the Middle Ages, were all commercial and all republican. They were led by men who gave the impulse to popular taste and fostered its growth; Pericles made Athens the artistic glory of Greece, and Cosmo de' Medici decked Florence with art's brightest jewels. Being themselves monarchs in disguise, they formed a radiating centre which illuminated the whole body politic in matters to which democracy and trade are necessarily indifferent. In avowed monarchies we find always the same cause of artistic life or death; namely, the presence or absence of a central directing spirit, whether inspired by selfish motives, and patronizing art to enhance the splendor of a reign, or by noble motives,

with that it is one of the most elevating and civilizing influences which can be brought to bear upon a people. In either case the leader must impose it upon his subjects until they have learned to love it, and can no longer exist without it. Munich would still be the insignificant and unattractive capital of a second-rate European kingdom, had not King Louis been filled with an enthusiastic love of art, and a consequent determination to make it one of the richest centres of art upon the Continent. While still Crown Prince of Bavaria he employed agents to point out and obtain for him all available masterpieces, and thus the marbles from Ægina, the Barberini Faun, and many other treasures found their way to the Glyptothek instead of to the British Museum. So also in England all the growth of industrial art may be traced back to the action of Prince Albert. So also the power vested in the Emperors of Russia and Austria, and the King of Bavaria, has been made use of by enlightened men in their dominions to create the new museums of which we have spoken in these pages.

But where are Americans to find a substitute for this apparently necessary centre of action? This is a question which we have not hitherto been called upon to answer, and which demands our gravest consideration. We cannot hope to find it at Washington, nor in our State governments (though these may eventually aid us by making the study of drawing obligatory in the public schools), nor can we look for it in unassisted individual action, which must be limited and comparatively feeble. Our only hope lies in the stronger action of universities and educational institutes. Harvard and Yale, by founding art professorships, and by aiding art projects to the extent of their ability, may put into willing hands the lever with which to move the American world. We look to them for aid as we look to no other source, because we know that they can most reasonably be expected to understand the importance of the work which art museums and schools of design are capable of accomplishing. Our hope for the success of the proposed Museum of Art in Boston, for instance, is mainly grounded upon the consent of its educational institutions to take an active part in its government, and to loan it their art collections. If art

is a unit, so is education; the cause of cultivation is one, and whether we labor for it through letters or through art, we are equally serving the same noble end.

If European speculators upon future art collections in America cannot fairly estimate how the absence of a central authority is felt when the attempt is made to found them, neither can they sufficiently enter into our national character to know our dislike of taking such slow, well-calculated steps as are necessary to insure their success. The course taken at Kensington and at Vienna, of planting an acorn with hope that it may grow into an oak, does not tally with our impatient desire to *realize* our ideas at once in full splendor. We need art in America, and some one immediately proposes to purchase the Villa Albani, transport its matchless bas-reliefs from the spot where Winckelman's fostering care united them, and turn the Casino into an American Academy which shall at once stand on a par with the French Academy at the Villa Medici. We want museums, and our tendency is to spend all our money in erecting a huge building whose empty halls will do but little to help us towards the end we have in view. What we shall do if we are wise is to begin by building only for the purpose of placing collections already bought or given; or better yet, by hiring for this purpose some vacant rooms, where they can be kept until we have matured our plans and found out exactly what we want. The Kensington Museum began in "the Brompton Boilers," and iron sheds were added to cover new acquisitions; so also the collections at Vienna have been for years kept in the rooms of the Imperial "Ball Haus" awaiting the completion of a building fitting their present importance. So again the collections of the Nuremberg Museum were temporarily placed for eleven years before its directors purchased the Carthusian convent to receive them.

All these examples teach us that our motto should be, "Festina lente." Given that we start with a few rooms full of really good objects, — a collection of Chinese or Japanese lac and enamels, for instance, which it would always be easy to form in this country, — and with works of art loaned for a time by public institutions or private persons, supplemented with as many originals and reproductions as our funds will allow us

to purchase, we cannot fail, if we open our doors freely by day and in the evening to the public, to excite an ever-increasing interest which will lead to gifts of money and works of art, and eventually to the erection of such a building as will be an honor and an embellishment to any city.

No man ever regretted the time spent upon a work which when finished was pronounced perfect, and no one ever gauged a result, whether bad or good, by the hours or the years spent over it. The only important thing is that when done there should be no cause for regret. Better never have museum buildings than have bad ones, for if they are so they will give the lie to that clause of our programme which professes to serve the cause of art through architecture, the oldest and one of the noblest of arts.

CHARLES C. PERKINS.

ART. II. — THE SESSION.

To say that the government of the United States is passing through a period of transition is one of the baldest commonplaces of politics. This transition, which few persons deny, is, from a scientific point of view, an intensely interesting illustration of the manner in which principles are established. The generation which framed the American form of government meant it to be, not only in mechanism, but in theory, a clear and outspoken contradiction to opinions commonly accepted in Europe. The men who made the Constitution intended to make by its means a distinct issue with antiquity, and they had the most precise conception of the issue itself and of their own purposes in raising it. These purposes were perhaps chimerical. The hopes then felt were almost certainly delusive. And yet even the persons who grant the probable failure of the scheme, and expect the recurrence of the great problems in government which were then thought to be solved, cannot but look with satisfaction at the history of the Federal Constitution as the most convincing and the most interesting experiment that has

ever been made in the laboratory of political science, even if it only demonstrates the impossibility of success through its means.

The great object of terror and suspicion to the people of the thirteen provinces was Power; not merely power in the hands of a president or a prince, of one assembly or of several, of many citizens or of few, but power in the abstract, wherever it existed and under whatever name it was known. "There is and must be," said Blackstone, "in all forms of government, however they began or by what right soever they exist, a supreme, irresistible, absolute, uncontrolled authority, in which the *jura summi imperii*, or the rights of sovereignty, reside"; and Parliament is the place "where that absolute despotic power which must in all governments reside somewhere is intrusted by the constitution of the British kingdoms." Supreme, irresistible authority must exist somewhere in every government, was the European political theory, and England solved her problem by intrusting it to a representative assembly to be used according to the best judgment of the nation. America, on the other hand, asserted that the principle was not true; that no such supreme power need exist in a government; that in the American government none such should be allowed to exist, because absolute power in any form was inconsistent with freedom; and that the new government should start from the idea that the public liberties depended upon denying uncontrolled authority to the political system in its parts or in its whole.

Every one knows with what a rigid and admirable logic this theory was worked out in framing the mechanism of the new republic. Not only were rights reserved to the people never to be parted with, but rights of great extent were reserved to the States as a sacred deposit to be jealously guarded. And even when it came to constructing the central government, the three great depositories of power were made independent of each other, checks on each other's assumption of authority, separately responsible to the people, that each might be a protection and not a danger to the public liberties. The framers of the Constitution did not indeed presume to prescribe or limit the powers a nation might exercise if its exist-

ence were at stake. They knew that under such an emergency all paper limitations must yield, but they still hoped that the lesson they had taught would sink so deep into the popular mind as to cause a re-establishment of the system after the emergency had passed. The hope was scarcely supported by the experience of history, but, like M. Necker in France, they were obliged to trust somewhat to the "virtues of the human heart."

The two great theories of government stood face to face during three quarters of a century. Europe still maintained that supreme power must be trusted to every government, democratic or not, and America still maintained that such a principle was inconsistent with freedom. The civil war broke out in the United States, and of course for the time obliterated the Constitution. Peace came, and with it came the moment for the final settlement of this long scientific dispute. If the constitutional system restored itself, America was right, and the oldest problem in political science was successfully solved.

Every one knows the strange concurrence of accidents, if anything in social sequence can be called accident, which seemed to prevent a fair working of the tendency to restoration during the four years that followed the close of actual war. With the year 1869 a new and peculiarly favorable change took place. Many good and true Americans then believed that the time had come, and that the old foundation on which American liberties had been planted would now be fully and firmly restored. There was, in fact, a brilliant opportunity for the new administration, not perhaps to change the ultimate result, but to delay some decades yet the actual demonstration of failure. The new President had unbounded popular confidence. He was tied to no party. He was under no pledges. And, above all, he had the inestimable advantage of a military training, which, unlike a political training, is calculated to encourage the moral distinction between right and wrong.

No one could fail to see with amusement the mingled feelings of alarm and defiance with which Senators and politicians waited the President's first move. Nor was it they alone, but

almost the entire public, that expected to see him at once grasp with a firm hand the helm of government, and give the vessel of state a steady and determined course. It was long before the more conservative class of citizens, who had no partisan prejudices, could convince themselves that in this respect they had not perhaps overrated so much as misconceived the character of the President, and that they must learn to look at him in a light entirely unlike any they had been hitherto accustomed to surround him with. This misconception or misunderstanding was, however, perfectly natural, and can be no matter for surprise when it is considered that even to the President's oldest and most intimate associates his character is still in some respects a riddle, and the secret of his uniform and extraordinary success is still a matter of dispute. Indeed, it may be doubted whether he himself, if he ever fell into the mischievous habit of analyzing his own mind, could answer his own questions in a manner that would satisfy his own curiosity. Nothing could be more interesting to any person who has been perplexed with the doubts which the President's character never fails to raise in every one who approaches him, than to have these doubts met and explained by some competent authority; by some old associate like General Sherman, with an active mind ever eager to grapple with puzzles; by some civil subordinate such as a civil subordinate ought to be, quick at measuring influences and at unravelling the tangled skein of ideas which runs through the brains of an administration. As a rule, however, the reply to every inquiry comes in the form of confessed ignorance: "We do not know why the President is successful; we only know that he succeeds."

Without attempting to explain what is evidently so complicated an enigma, one may still form a partial idea of General Grant's civil career from the facts which are now open to all the world. It seems clear at the outset that the President's mind rarely acts from any habit of wide generalization. As a rule, the ideas which he executes with so much energy, appear to come to him one by one, without close or rapid logical sequence; and as a person may see and calculate the effect of a drop of acid on an organic substance, so one may sometimes

almost seem to see the mechanical process by which a new idea eats its way into the President's unconscious mind,— where its action begins and where its force is exhausted. Hence arise both advantages and misfortunes. This faculty for assimilation of ideas, this nature, which the Germans would call thoroughly objective, under ordinary circumstances, and when not used by selfish men for corrupt purposes, gives elasticity, freedom from inveterate prejudices, and capacity for progress. It would be likely to produce a course of action, not perhaps strictly logical, nor perfectly steady, nor capable of standing the sharper tests of hostile criticism, but in the main practical, sensible, and in intention thoroughly honest. But when used by Jay Gould and Abel Rathbone Corbin with the skill of New York stock-brokers for illegitimate objects, the result is all the more disastrous in proportion to the energy of execution for which the President is so remarkable.

Most persons, however, and especially those who had formed their ideas of the President from his Vicksburg campaign, entertained a very different notion of his intellectual qualities. The Vicksburg campaign has puzzled equally the enemies and the friends of the President. General Sherman's frank expression of this feeling of surprise found its way into print in the form of a sincere tribute of admiration spoken by a man conscious of having underrated his superior officer. The public, on the strength of this brilliant campaign, assumed with reason that a general capable of planning and executing a military scheme such as Napoleon himself might have envied, must possess an aptitude for elaboration of idea and careful adaptation of means to ends such as would in civil administration produce a large and vigorous political policy. Yet it is quite certain that such refinement of conception was not in General Grant's nature. No such ambition entered his head. He neither encouraged it nor believed in its advantages. His own idea of his duties as President was always openly and consistently expressed, and may perhaps be best described as that of the commander of an army in time of peace. He was to watch over the faithful administration of the government; to see that the taxes were honestly collected; that the disbursements were honestly made; that economy was strictly

enforced; that the laws were everywhere obeyed, good and bad alike; and as it was the duty of every military commander to obey the civil authority without question, so it was the duty of the President to follow without hesitation the wishes of the people as expressed by Congress.

It is scarcely necessary to say that this is not the range of duties prescribed to an American President either by the Constitution or by custom, although it may be that which Congress desires and to which the system inevitably tends. More than this, it could not be realized. The President may indeed in one respect resemble the commander of an army in peace, but in another and more essential sense he resembles the commander of a ship at sea. He must have a helm to grasp, a course to steer, a port to seek; he must sooner or later be convinced that a perpetual calm is as little to his purpose as a perpetual hurricane, and that without headway the ship can arrive nowhere. The President, however, assumed at the outset that it was not his duty to steer; that his were only duties of discipline.

Under these circumstances, with a President who, while disbelieving in the propriety of having a general policy, must yet inevitably be compelled to assume responsibility; with one, too, whose mind, if not imaginative nor highly cultivated, was still curiously sensitive to surrounding influences, the necessity was all the greater that the gentlemen on whose advice and assistance he would be compelled to lean should be calculated to supplement his natural gifts. From him personally the public had not required high civil education. Rulers have always the right to command and appropriate the education and the intelligence of their people. But knowledge somewhere, either in himself or in his servants, is essential even to an American President, — perhaps to him most of all rulers, — and thus, though it was a matter of comparatively little importance that the President's personal notions of civil government were crude, and that his ideas of political economy were those of a feudal monarch a thousand years ago, it was of the highest possible consequence that his advisers should be able to supply the knowledge that he could not have been expected to possess, and should develop the ideas which his growing expe-

rience would give him. And as it was clear at the outset that questions of finance would assume overruling importance, it was evident that a responsibility of the most serious character would rest on the Secretary of the Treasury.

The official importance of the Secretary of the Treasury can hardly be over-estimated. Not only is his mere political power in the exercise of patronage far greater than that of any other cabinet officer, but in matters of policy almost every conceivable proposition of foreign or domestic interest sooner or later involves financial considerations and requires an opinion from a financial stand-point. Hence in the English system the head of administration commonly occupies the post of premier lord of the Treasury. In the American form of government the head of the Treasury is also the post of real authority, rivalling that of the President itself, and almost too powerful for harmony or subordination. The Secretary's voice ought to have more weight with the President than that of any other adviser. The Secretary's financial policy ought to be the one point on which each member of the administration is united with every other. At a time like the summer of 1869 when old issues were passing away and a new condition of things was at hand; when the public was waiting to be led or mildly kneeling to take up its master; it was more than ever important that the President should have in the Treasury a man who could command and compel respect.

In a former number of this Review,* in a passage sharply criticised at the time, an opinion of Mr. Boutwell's character was expressed, formed from a special stand-point, implying theories at which Mr. Boutwell would probably smile, and which he would disregard as springing from an unpractical and unprofitable mode of thought. Now that it becomes necessary to speak of him again, and this time from a stand-point more nearly identical with his own, there is danger of being again thought to say more than is strictly just. Unfortunately, no review of the year could be written which, in regard to the most important branch of the administration, should undertake to say nothing at all.

Mr. Boutwell was not a person to make good the wants of

* October, 1869. Article, "Civil Service Reform."

the President. General Grant wanted civil education, but in return he was peculiarly open to new ideas, and had in a marked degree the capacity to learn from any one who had the faculty to teach. Mr. Boutwell had no faculty whatever for teaching, and very little respect for knowledge that was not narrowly practical. He believed in knowledge just so far as it was convenient for him to justify his own theory that knowledge was a deception. He believed in common schools, and not in political science; in ledgers and cash-books, but not in Adam Smith or Mill; as one might believe in the multiplication-table, but not in Laplace or Newton. By a natural logic he made of his disbelief in the higher branches of political science a basis for his political practice, and thus grounding action on ignorance he carried out his principle to its remotest conclusions. He too, like the President, announced that he had no policy, and even more persistently than the President he attempted to govern on the theory that government was no concern of his. Other persons in a similar position would commonly have leaned either to the theorists on one side, or to so-called practical men on the other, but Mr. Boutwell treated both with the same indifference. He had all the theorists in Europe and America to choose from, but he did not listen to their teachings. He had all the practical men in the country at his service, but he did not follow their advice. He had all the best members of the Legislature to depend upon, but he did not desire their assistance. He had a costly and elaborate machinery maintained by the country to furnish him with any information he might require, but Mr. Boutwell never required information. Nay, it seems from published papers almost certain that Mr. Boutwell, sitting twice a week in consultation with his colleagues in the cabinet, cannot have controlled their measures nor even discussed his own. The President himself at the time of his Message could hardly have been consulted by the Secretary.

To analyze a policy which does not exist, — to trace the adaptation of means to ends where no adaptation was intended, is a mere waste of time and ingenuity. Yet there is no man in existence, however much he may aspire to it, who can succeed in absolutely obliterating all ideas from his mind, or can

prevent his acts from showing some trace of intelligence. This relation between ideas and acts, commonly known as a policy, was distinctly visible in Mr. Boutwell's course, although it was visible only within an extremely limited range. Of most political leaders it might have been foretold with certainty that they would expend their whole energy on a restoration of the currency, or on a reduction of the taxes, confident that if these were once settled the financial situation would be secure. Mr. Boutwell's passion was different. He had only a single object of enthusiastic ambition, but this was to redeem the national debt. To do this from day to day, — to collect more and more millions from the people, no matter by what devices; to cut down the expenses to their lowest point; to accumulate the surplus in the Treasury; to buy with it, month by month, more and more of the government's own debts, and thus to see the huge mass of indebtedness slowly dwindle and diminish in his hands, — this was a positive, tangible, self-evident proof of success, which appealed directly to the lowest order of intelligence, and struck with the greatest possible force the mind of the voting public. To this idea Mr. Boutwell sacrificed currency reform, revenue reform, and every hope of relief from taxation, and to this idea he subordinated even his own next ambition, that of lowering the rate of interest on the debt. Beyond this he abnegated ideas. He did nothing, said nothing, heard nothing, except when necessity compelled.

Although it is no doubt true that the policy thus embraced by Mr. Boutwell was neither broad nor deep, and certainly not that of a great statesman, yet it is by no means impossible that in pursuing this easy and simple course Mr. Boutwell may have taken the most direct path to an apparently brilliant success, such as it was his nature to desire, — a success far better calculated for his purposes than though he had strayed aside into the vast and comprehensive reforms, which would have dazzled the imaginations of Turgot, of Pitt, or of Hamilton. But the success which is gained by so meagre and sterile a conception is of little permanent value, even when compared with a bold and generous failure. If a critic were called upon to name the most unfortunate of all the financiers who have ever controlled the resources of France, he might, from Mr.

Boutwell's point of view, find difficulty in discovering a more conspicuous failure than the administration of Turgot. If he applied the same process to British finance, he might probably be compelled at last to fix upon no less illustrious a career than that of William Pitt. But if he were to test his theory by the opposite experiment of selecting from English history the nearest approach to Mr. Boutwell's ideal of financial success, he would certainly be compelled to pass in silence over the names of Montagu and of Walpole, of Pitt, of Peel, and of Gladstone, in order to draw from its almost forgotten resting-place the memory of some third-rate Chancellor of the Exchequer, some Nicholas Vansittart, whose very name is a blank even to the students of biographical cyclopædias. Mr. Vansittart, indeed, would in most respects, except for his curious financial knowledge, and his reverence for the financial teachings of his great master, Pitt, serve well as the ideal of Mr. Boutwell. A Chancellor of the Exchequer who, coming into office in 1812, at almost the darkest moment of England's struggle with the world, had remained at the head of the finances through the war; had met and triumphantly stood the shock of the return from Elba, and of Waterloo; had carried England back to specie payments after twenty years of paper money; had at a single operation reduced the interest on a capital of nearly $800,000,000, at that time the largest sum ever dealt with in a mass; and who, to crown all, had arrived at the height of his ambition in 1823 by raising the surplus, applicable to the reduction of debt, to the unprecedented point of $25,000,000, in spite of the opposition of the whole body of liberal and educated politicians, — a Chancellor of the Exchequer with twelve years of such triumphs as these could scarcely be denied the credit of supreme and unrivalled success. Yet such is the perverseness of history, and so unreasonable is human prejudice, that not only the contemporaries of Mr. Vansittart, although attached to him by his genial and good-natured manners, but also posterity, to which his name is so little familiar, have combined with one accord in agreeing that as a financial minister he was a conspicuous example of incompetence, who for years hung like a clog on the progress of England, and his name is now only mentioned with a smile of passing contempt.

But, so far as finance was concerned, Mr. Boutwell's policy might have been poorer even than it was, and yet the vigor of the country would have made it a success. The greatest responsibilities of a Secretary of the Treasury are not financial, and an administration framed upon the narrow basis of mere departmental activity must be always, except under the strongest of Presidents, an invitation to failure. The stormiest of cabinets, the most venturesome of advisers, the boldest of political rivals for power, are likely to produce in combination a better result than that unorganized and disjointed harmony, that dead unanimity, which springs from divided responsibility. Mr. Boutwell had neither the wish nor the scope to assume the functions or to wield the power of his office, and instead of stamping upon the President and his administration the impress of a strong controlling mind, he drew himself back into a narrow corner of his own, and encouraged and set the example of isolation at a time when the most concentrated action was essential to the rescue of the Executive.

Even in the quietest of times and under the most despotic chief such a departmental government is at best a doubtful experiment, but in the summer and autumn of 1869 it was peculiarly ill-timed. Every politician felt that the first year of the new administration would probably fix the future character of the government. The steady process by which power was tending to centralization in defiance of the entire theory of the political system; the equally steady tendency of this power to accumulate itself in the hands of the Legislature at the expense of the Executive and the Judiciary; the ever-increasing encroachments of the Senate; the ever-diminishing efficiency of the House; all the different parts and processes of the great general movement which indicated a certain abandonment of the original theory of the American system, and a no less certain substitution of a method of government, which promised to be both corrupt and inefficient, — all these were now either to be fixed upon the country beyond recall, or were to be met with a prompt and energetic resistance. To evade the contest was to accept the revolution. In order to resist with success, the President must have slowly built up his authority upon every side, until the vigor and success of his administration

overawed the Senate, and carried away the House by the sheer strength of popular applause. That such a result was possible no one can doubt who had occasion to see how much it was dreaded by the Washington politicians of the winter and spring of 1869, and how rapidly they resumed confidence on discovering that the President had no such schemes.

By the time Congress came together, in December, 1869, the warm hopes which had illuminated the election of November, 1868, had faded from the public mind. It was clear that the administration was marked by no distinctive character. No purpose of peculiar elevation, no broad policy, no commanding dignity, indicated the beginning of a new era. The old type of politician was no less powerful than under other Presidents. The old type of idea was not in the least improved by the personal changes between 1861 and 1870. The administration was not prepared for a contest with Congress, and at the last moment it was still without a purpose, without followers, and without a head.

Under these circumstances the President's Message was sent to the Capitol. It was studied with all the more curiosity because it was supposed to reflect the internal condition of the government. Nothing could well have presented a less reassuring prospect. The want of general plan and of unity of idea was so obvious that it was scarcely necessary to be assured of the harmony of the administration. An administration which did not care enough about its own opinions to quarrel about them was naturally harmonious. The President and the Secretary of the Treasury were discovered expressing opinions and offering recommendations diametrically opposed to each other, and apparently unconscious that, under all ordinary theories of government, it is usual that there should be a head. Nor was this all. The absence of a strong mind in the Treasury was as conspicuous in what was omitted as in what was said. Not only was the political economy, both of the Message and of Mr. Boutwell's Report, a subject into which the ridicule of the foreign press cut with easy facility, to the mortification of every friend of the government, but even where simpler declarations, not requiring previous knowledge of principles, would have satisfied every purpose, their absence was almost

as marked as was the presence of Mr. Boutwell's famous barrels of flour. In regard to the currency alone was the President at the head or in advance of public opinion, and in regard to the currency his Secretary offered him no active support. Other reforms shared a worse fate. The reduction of taxes was discouraged, the civil service was not noticed, and tariff reform was distinctly opposed. Had it not been for the good sense of the remarks on reconstruction and foreign affairs, the President's first appearance before Congress would have hazarded the reproach of absurdity.

The result, already a foregone conclusion, was at once apparent when Congress took up its work. So far as the President's initiative was concerned, the President and his Cabinet might equally well have departed separately or together to distant lands. Their recommendations were uniformly disregarded. Mr. Sumner, at the head of the Senate, rode roughshod over their reconstruction policy and utterly overthrew it, in spite of the feeble resistance of the House. Mr. Conkling then ousted Mr. Sumner from his saddle, and headed the Senate in an attack upon the Executive as represented by Judge Hoar, the avowed *casus belli* being the fact that the Attorney-General's manners were unsatisfactory to the Senate. But Mr. Conkling's most brilliant triumph was over the Census bill. Here he had a threefold victory, and it would be hard to say which of the three afforded him the keenest gratification. Single-handed he attacked Mr. Sumner, the House, and the Executive, and routed them all in most disastrous confusion. Never was factiousness more alluring or more successful than under Mr. Conkling's lead. Then again Mr. Sumner came to the front and obtained a splendid triumph over the President in regard to San Domingo. Mr. Sherman was less vigorous and less fortunate in regard to the currency and funding measures, but Mr. Boutwell asked so little it was difficult to do more than ignore him. And even in the House Mr. Dawes, the official spokesman of the government, if the government has an official spokesman, startled the entire country by a sudden and dashing volunteer attack on the only point of General Grant's lines on the absolute security of which he had prided himself, — his economy, and to this day no man under-

stands how Mr. Dawes's foray was neutralized or evaded, or whether Mr. Dawes was right or wrong.

The principal subjects of the Session, within the scope of the present Review, have been reconstruction, finance, and foreign affairs.

On the subject of reconstruction little will be here said. The merits or demerits of the system which has been adopted are no longer any essential element of the situation. The resistance to these measures rested primarily on the fact that they were in violation of the letter and spirit of the Constitution as regarded the rights of States, and the justification rested, not on a denial of the violation, but in the overruling fact of necessity. The measures were adopted with extreme reluctance by a majority of Congressmen; they were approved with equal reluctance by a majority of the people; but they have become law, and whatever harm may ultimately come from them is now beyond recall, and must be left for the coming generation, to which the subject henceforth belongs, to regulate according to its circumstances and judgment. At the same time the last year has left no doubt that, so far as legal principles are involved, the process of reconstruction has reached its possible limits. The powers originally reserved by the Constitution to the States are in future to be held by them only on good behavior, and at the sufferance of Congress. They may at any time be suspended or assumed by Congress. Their original basis and sanction no longer exist, and if they offered any real protection against the assumption of supreme and uncontrolled power by the central government, that protection is at an end. How far Congress will, at any future day, care to press its authority, or how far the States themselves may succeed in resisting the power of Congress, are questions which must be answered by a reference to the general course of events. Something may be judged of the rate of progress from the theory so energetically pressed during the past season by Senator Sumner, that the New England system of common schools is a part of the Republican form of government as understood by the framers of the Constitution, an idea that would have seemed to the last generation as strange as

though it had been announced that the electric telegraph was an essential article of faith in the early Christian Church. Something also may be judged from the condition of New York City and the evident failure of the system of self-government in great municipalities. Something more may be guessed from the rapid progress of corruption in shaking public confidence in State legislatures. Finally, something may be inferred from the enormous development of corporate power, requiring still greater political power to control it. But under any circumstances the first decisive, irrevocable step towards substituting a new form of government in the place of that on which American liberties have heretofore rested, has now been taken, and by it the American people must stand.

The financial questions, if not so important as those of reconstruction, had at least the advantage of greater freshness and novelty. Reduction of taxation was the popular cry. Reform of taxation was equally essential. Secretary Boutwell, and with him, though less positively the President, resisted at the outset either reduction or reform. The process of bond-buying supplied in Mr. Boutwell's mind the want of any more difficult intellectual conception, while in regard to free-trade ideas the Secretary, like all political New England, sympathized with the President in his cold indifference to them. The revenue reformers had not expected such a result. They were not prepared for the hostility they met from the administration, and they were thus placed in a position of great difficulty and embarrassment.

Whatever was the reason that the President leaned to high protectionist ideas, no one was more surprised or less gratified than many of his warmest friends when they found the fact announced in his Message. Undoubtedly the reformers had hoped and expected to have his sympathy in their efforts for revenue reform, as they had hoped it in regard to civil-service reform, and as they received it in the case of the currency; nor is there any reason to suppose that the President, even on so important a subject as this, acted from any very firm conviction, or considered the matter in reference to any general class of political ideas. Nor can the responsibility for the President's course be thrown upon his Secretary of the Treasury,

since Mr. Boutwell on this subject, as on all others, except one, abnegated influence. The difficulty was that the administration, without any active hostility, blocked the path of the reformers. It would consent to no absolute war upon them, but its practical influence was more mischievous than the bitterest warfare. To break down the huge monopolies which the central government had created and was now engaged in supporting, and whose corrupt influence was felt at every step, blasting all attempts at honest legislation, seemed the first and most pressing necessity to those who believed that a purer political and moral atmosphere was only to be found by freeing the country from them. But to do this by mere disjointed, unorganized effort, without support from the administration, and in face of a large party majority; to do this against the sneers and contempt of every Republican Congressman from New England, without a single voice of open or secret encouragement; and at the same time to meet and overcome the virulent bitterness of Pennsylvania and her organized body of allies; to do it all by means of the Republican party when the Republican party in Congress dreaded nothing so much as the necessity of meeting this issue, seemed a project of hopeless temerity. Nevertheless, there was nothing left to choose. Since the administration refused to lead, the reformers were compelled to advance alone.

The small body of men in and out of Congress who were determined to force the issue upon it began the winter under every influence of discouragement. Not only had the President abandoned them, but Congress was wholly in the hands of their opponents, and the Committee of Ways and Means, entirely controlled by the protectionist influence, had prepared an ingenious bill, calculated to reduce taxation and to check popular complaint, but still more carefully constructed to maintain and increase the protecting duties wherever special interests had asked it. The readers of this Review probably understand the general argument on the subject of tariff reform sufficiently well to need no dissertation upon principles of taxation. It is enough to say that the present Congress had been considered as more thoroughly devoted to protectionist ideas than any of its predecessors, and that about fifty Democratic votes were all that could be classed as determined for free

trade, with the exception of three or four Western Republicans. Tariff reform, as advocated by Mr. D. A. Wells, commanded a certain amount of sympathy, but its friends in the House were few and timid, while the suspicion of free trade sounded to the ears as terrible a charge as that of having worn a rebel uniform or having been out with the Ku-klux clan. To convert such a body of men from their early principles, by such small means as the reformers could command, was a desperate undertaking. The friends of reform, therefore, quitting in despair the President and his Cabinet with their stolid inertia and cold neutrality, and Congress with its bristling hostility, turned back to ask counsel of the great popular masses. They had worked throughout the summer and autumn with all the energy they possessed, and they continued to work throughout the winter, not in the lobbies of the Capitol nor in the ante-chambers of the departments, but directly and earnestly upon popular opinion. As spring approached they began to resume confidence. The little body of political leaders in Washington, whose interest was sharpened by their anxiety to maintain their control of their constituencies, received from every quarter beyond the Alleghanies, with few exceptions, assurances of popular sympathy and support, so vigorous and so universal, that their tone began insensibly to change from depression to boldness, and they already felt themselves strong enough to do without the administration if the administration could do without them. From every great organ of public opinion in the Western country they poured out a volume of argument and appeal that no possible popular influence could for a moment resist. Party lines were broken under their incessant attrition. Members of Congress began to hesitate, to consult, and to seek information. The formal opening debate upon the new tariff developed the existence of a feeling such as no one had expected, and such as had rarely if ever been known even in the days of Henry Clay. And when the bill went into committee to be taken up in detail, it is hard to say who were more astonished, protectionists or reformers, to learn that in the very first division the reformers carried the reduction on sugar by a majority of two.

Then ensued a struggle which utterly dumbfoundered the

friends of the tariff, who at first refused to credit their defeat, and insisted on considering it as an accident due to the absence of their allies. But when the same result occurred again and again, while the resistance to the bill became more and more general instead of diminishing, they slowly began to comprehend their danger. General Schenck, who made every effort to force his measures through the House, with far more success than any other member could possibly have obtained, soon lost his temper, having at best no very considerable supply of temper to lose, and described his difficulties in graphic language. "There is nobody in this House," said he, "upon either side, there is nobody anywhere that has watched the progress of the Tariff Bill through the Committee of the Whole, who does not know that peculiarly, and beyond perhaps the manifestation of hostility and attack upon any other measure in this or almost any former Congress, it has been fought inch by inch, step by step, line by line, persistently, with heavy attacks and with light attacks, — and most frequently light. I defy a denial of that." The fact was not one which the reformers proposed to deny. Not only did they intend to resist all increase of protective duties, but they meant to lower the duties wherever they could. They urged their amendments to every line and word with a persistency which astonished themselves, and, what was still more surprising, the House in Committee of the Whole supported their efforts, and drove the Committee of Ways and Means to amend its own bill. Nor did their success end here. The whole subject was forced before the public attention, and the political issue for the coming elections was marked out beyond the possibility of evasion. It remains to be seen what course parties will think proper to adopt, but the experience of the winter warrants the belief that party lines have, in this long struggle, been so rudely shaken that the Republican leaders will do well to consider the advantages of accepting some positive policy.

Meanwhile Mr. Boutwell yielded so far to the popular outcry that he unwillingly accepted the necessity of reduction, if not of reform, of the taxes, and the President showed signs of yielding to both demands. Their acceptance of the principle of reform, though too late to give any real aid to reformers,

might perhaps have served to save a few Republican Congressmen from defeat in the autumn elections, but it was a sign of weakness rather than of strength, and indicated a want of stability which had scarcely been expected. As for Mr. Boutwell's persistent efforts to obtain authority to fund a portion of the debt, the subject is somewhat too technical for ordinary readers, and is fortunately very subordinate in importance. Whatever respect Mr. Boutwell's policy deserved, it received extremely little, and may be dismissed without further comment. In regard to the currency, where reform ought properly to have begun, no approach to agreement could be made. The subject was amply discussed, both formally and informally. Every method of contraction, both direct and indirect; every process of acting on the national greenback circulation through the national banking currency, or on the banking currency through the greenback circulation, on either separately or on both at once; every theory, no matter how new or how old; every objection, no matter how frivolous, — all in turn were argued and laid aside, because public opinion was not yet ripe for action. As usual, nothing could be done by the government, which invariably fails to govern. It was necessary to go back to the people.

In the midst of this universal deadlock on every issue except reconstruction, the Supreme Court on the 7th of February pronounced its decision that the Legal-Tender Act, so far as it applied to debts contracted before its passage, exceeded the authority of Congress, and assumed powers forbidden by the Constitution.

To any one who places himself on the stand-point assumed at the outset of these remarks, it is obvious that the decision of the Supreme Court must have appeared not only sound in itself, but the single step which had been taken by any department of the government since the close of the war, towards the restoration either of a solid basis to the currency or of a solid foundation to the republic. It was a moderate and cautious reassertion of the fundamental principle on which the private liberties of the American citizen had been originally based. It was the only indication yet seen that Hamilton and Madison might have been right in hoping that their system of

checks and balances would operate to restore an equilibrium once disturbed by the exigencies of a troubled time. As such it received universal popular acquiescence. Hardly a murmur was raised against it by the press. Only in Congress, where opposition might naturally have been expected, was there any sign of hostility to a movement which indeed was threatening to the usurped power of Congress alone, and only in the Senate, which has always been, as it always must be, the furnace of intrigue and aggression, was it expected that there would be any actual attack upon the Court.

The public naturally assumed that the administration would be glad to accept and support this decision, not only because the interests of the Executive and the Supreme Court are identical, nor only because this special decision tended to check the arrogant and domineering congressional power, which had been felt in a manner so humiliating by the present Cabinet, but because the decision strengthened the declared policy of the President in regard to the currency, and was in itself a partial withdrawal of the entire government from the false position into which it had confessedly been forced by the exigencies of war. Hence, although it was no matter of surprise that Senators instantly declared that the decision should be reversed, and that no candidate favorable to the decision should be confirmed to either of the vacant seats on the Supreme bench, yet a very strong feeling of surprise and astonishment was perceptible when gentlemen supposed to be thoroughly well informed asserted that the President, the Secretary of the Treasury, and the Attorney-General were agreed in considering the decision as an attack upon the policy of the war, a denial of necessary powers to Congress, and a Democratic electioneering trick. And the incredulity was great when authority above any ordinary doubt further asserted, on direct information from the White House, that neither Judge Bradley nor Judge Strong would have been nominated to the bench, had it been supposed that either of them favored the legal-tender decision. These nominations, whether influenced by such a consideration or not, were such as to remove all doubt from Senators' minds in regard to this particular difficulty, while at the same time little doubt could remain in the public mind that a re-

versal obtained by introducing on the bench two gentlemen occupying the position of Messrs. Strong and Bradley would establish beyond dispute a precedent for packing the Court whenever it suited Congress to do so, and thus destroying forever the independence of the Judiciary as a co-ordinate branch of the American government.

Judge Strong took his seat on the 14th of March. Judge Bradley was confirmed by the Senate a week later, and summoned by telegraph to Washington. He took his seat on the 23d of March. Two days later, at the earliest possible moment, the Attorney-General surprised the Court by moving to take up and argue two cases formerly passed over, which involved the principle of the legal-tender decision.

In the course of the Attorney-General's remarks he spoke as follows: —

"This Court, at a time when by law it consisted of nine judges, did by a majority of four to three enter its judgment, with two vacancies upon the bench, and it stands therefore, reducing it to its essence, that upon the judicial opinion of a single man, whose voice turned the majority, that great question is adjudicated. And if (which is a supposable case) it turned out that it was an opinion about which even the deciding judge of the Court had entertained a different opinion at some other time, it would come down to the point that on the differing opinions at different times of his life of a single man, the whole constitutional power of Congress . . . . was to be subverted."

What answer this personal attack on the Chief Justice would have received had it been made by an Attorney-General of Massachusetts before the Supreme bench of that State, with Hoar, C. J., presiding, must be a mere matter of opinion, only to be decided by an appeal to that high tribunal under the specified conditions. He would, however, have been a rash Attorney-General who attempted to browbeat a court so constituted. Nor is it a question worth discussing whether the opinions of the Secretary of the Treasury in 1861 were the same as those of the Chief Justice in 1870, unless the Attorney-General meant to impute dishonest and culpable motives as the cause of change; and if this were in fact the intention, the Chief Justice might probably have been satisfied with pointing out, not to the Attorney-General, but to the Court,

the passage in the Secretary's official Report of 1862, the next expression of opinion made by him to Congress after the adoption of legal tender, where he took occasion distinctly to avow his opinion that "gold and silver are the only permanent basis, standard, and measure of values recognized by the Constitution." But though these points are rather matters of taste than of reasoning, in some other respects the assertions of the Attorney-General went to the verge of fair dealing, especially from an officer who was appealing to two new judges created by himself, and asking them to overthrow existing law. Strictly speaking, he was no doubt correct in saying that judgment was entered while there were two vacancies on the bench, and by a majority of four to three. Judgment was entered on the 7th of February. But the Attorney-General must surely have been aware of the fact, which has since been made public by the appearance of the 8th Wallace's Reports, that the decision in the case of Hepburn *against* Griswold was settled so long before as November 27, 1869, and that the decision itself was read and adopted by the Court on the 29th of January, by a majority of five to three, at a time when the Court by law consisted of eight judges, and there was no vacancy on the bench. If the actual entry was postponed another week, it was probably only because the minority opinion was not yet fully prepared, so that the Attorney-General, by using this argument, was in fact running extreme danger on the one hand of subjecting Justice Miller to the unfounded suspicion of having purposely delayed the entry, in order to lay the Court open to this precise attack, and, on the other hand, of subjecting himself, in the minds of persons who were not familiar with his absolute and unconditional honesty, to the charge of acting in collusion with Justice Miller.

What occurred when the Court retired for consultation might be guessed from the subsequent scene in open Court on the 11th of April, with clearness enough to leave little doubt as to the suspicions the public, with or without reason, would certainly entertain if the Attorney-General carried his purpose. Chief Justice Chase, and Justices Nelson, Grier, and Field, appear to have agreed in the statement that the two cases referred to by the Attorney-General had been passed over by

the Court with the understanding that they should abide the result in the case of Hepburn *against* Griswold, and that counsel had been so ordered. There would seem to have been no reasonable doubt as to the fact, and both Mr. Carlisle, counsel for the appellants in these cases, and Mr. Norton, the solicitor for the Court of Claims, from which the appeal had been taken, subsequently informed the Court that they had both so understood, and had received the order as stated. The ground taken by Justices Miller, Swayne, and Davis is not clearly understood, but these judges must have either rested on the fact that the order was not recorded, or they must have pleaded want of memory. It does not appear that they actually denied the order, and it is scarcely possible that they can have taken such a position, since it would have been extremely embarrassing to them to maintain it. It remained for the new judges to decide the dispute, and they did accordingly decide that the order had not been given. As the public might probably put the issue, the two new judges decided that the understanding of the Court, made long before they came upon the bench, was exactly the reverse of what it had undoubtedly been.

The Court therefore determined, by a majority of five to four, that the cases should be argued, and already, on the motion for further delay, a scene was presented to the public such as had rarely, if ever before, been offered by this dignified tribunal. It was evident that the four dissenting judges, the late majority, felt that they were in the position of criminals, to be tried by their own colleagues at the order of the Executive and the Senate, and it was equally evident that they had made up their minds to resist the attack with all their energy. If the administration, even with all the overgrown power of Congress behind it, imagined that the Supreme Court could quietly submit to such humiliation as awaited it, the administration was mistaken; but if, as was naturally inferred, the government was prepared for and invited the most desperate resistance of the minority, there was reason for the deepest public anxiety. Unquestionably the minority must have resisted with desperation, and unquestionably it would have been crushed by the President and Congress. The most memorable example in American history of partisan attack on the Judi-

ciary was the impeachment of a judge whose name and family suggested an ominous precedent for a similar political outrage at the present day. And although the time has probably passed when impeachments were popular, the chance of the present Chief Justice before the present Congress would even now be a subject of speculation far too delicate for a hasty opinion.

Whether the administration as a whole would have allowed itself to be drawn into such a struggle may well be doubted, but the determined character of the Attorney-General leaves no doubt that he would have begun nothing which he did not feel it his duty to press to the extremest logical conclusions, and he had at this moment the Senate behind him. The administration might have broken to pieces, but could not have stopped a struggle once begun. Hence many persons began to watch the course of events with great uneasiness, and although little was known of the personal feelings of the contending parties, yet it was obvious that the Executive was pressing with extreme severity on the Court, and the Court was already split into two hostile camps. Even among the people this struggle had begun to rouse deep interest. Perhaps the only point on which all men and all parties are agreed is that the independence of the Judiciary ought to be preserved, and it must be remembered that the dominant political party was now on the point of giving this cry to its antagonist. What the result would have been on the popular verdict was not for an instant doubted by those who had occasion to feel the force of the rising current of opinion.

Fortunately for the Court, for the administration, and for the country, the danger, which for a moment seemed inevitable, was evaded. On the morning of the 20th April, the day fixed for the hearing, the judges and the counsel went to the Capitol ready to face the issue. It was an occasion of extraordinary interest, a practical struggle between the dignity of the Court and the power of Congress, — an unequal match, in which public sympathy could not but cluster about the four arraigned judges. Ordinary observers could only think with terror of the irreparable harm that would result if these four judges, dragged into a political contest, should be held up by popular enthusiasm as the noble objects of a miserable per-

secution, while the two new justices became the mark of violent popular hatred, and the Court itself, torn to pieces by party passions, became the centre of political strife. At this moment such a result was almost reached. There seemed to be no hesitation on any side, either among the three dissenting judges, or the two new judges, or the four judges of the old majority, and least of all in the Attorney-General, whose mind appeared to be bent with that peculiar intensity which is the historical or traditional ideal of New England character, on converting, as he would say, or, as others might think, on crushing the obnoxious Court.

All these separate actors, their internal anxieties or passions concealed as well as might be under the calm and serious exterior which belongs to the presence of justice, arrived at the Capitol only to be confronted by what had the appearance of a stupendous practical joke. The appellants had that morning withdrawn their appeal, and the cases were no longer before the Court. Probably every man of the whole party breathed freer after his first moment of surprise, and yet the effect of the sudden change was to cover the whole proceeding with ridicule. Even the Attorney-General, whose dignity was most impaired by this trick of his opponents, must, after the first impulse of annoyance, have enjoyed the humor of the situation, and confessed that for once the wit was not all on his side. But whether he accepted his fate with good temper or not, it was soon evident that his whole plan of procedure was hopelessly disarranged, and although he struggled against defeat and pressed another motion to reopen the case of Hepburn *against* Griswold, the point seemed to have been reached beyond which none of the judges were willing to go in straining the rules of the Court, and as neither of the four who made the decision desired it to be reopened, the Attorney-General's motion was without dissent refused.

Thus this great peril was, by a mere trick, happily escaped, and the Court was saved from almost certain destruction. But its rescue was due to no strength of its own, to no aid from the Executive, to no mercy from either branch of Congress. It was a momentary relief from a pressing danger, but there was nothing to indicate that the danger had passed away, and

whenever the Court was again placed under the necessity of asserting the law as declared in the Constitution, it was little likely to be again preserved by a trick of counsel.

If now from the confused arena of internal politics the reader turns to the region of foreign affairs, he will find only a repetition of the same class of phenomena, offering little evidence of political progress, but strongly pointing to some political change that cannot be avoided in a no distant future.

Foreign affairs, so far as they have had immediate importance during the last year, may be divided under two heads. In regard to each of these divisions the single controlling interest has been found in the extension of the national territory. There is no other real point at issue than this, in the foreign relations of the United States, whatever individuals may suppose, and the two heads into which this general subject of territorial enlargement divides itself are only distinct in so far as one embraces all possible extension to the north; the other, all movement towards the tropics.

Of all the departments of the government, that of foreign affairs has been, on the whole, most steady and uniform in its policy since the earliest days of the republic. It has acted upon a single general principle, which has slowly developed itself with the national progress until now it is rapidly approaching its possible limits, — the steady absorption of all the neighboring territory. The policy of Mr. Seward was based upon this fixed idea, which, under his active direction, assumed a development that even went somewhat too far and too fast for the public, and, in consequence, although it was understood that President Grant was in general sympathy with Mr. Seward, yet the new administration came into power under influences that amounted to a reaction.

Little need here be said in regard to the questions in dispute with England, except that time has only made the fact more and more clear that the only essential obstacle to a settlement is the English occupation of Canada. The effort of Mr. Seward to settle the claims by arbitration, and to leave the Canadian question to seek a settlement in the natural course of events, was rejected by the Senate mainly because the Senate meant that the first issue should be retained as an instrument

to force the solution of the last. Without any comment upon the dignity or elevation of this policy, or upon the manner and spirit in which it has been carried out in practice, it is enough to say that the new administration on assuming office found the policy already determined by the Senate, and accepted it as a matter in regard to which the Executive was not consulted and had no voice. The entire subject may be here dismissed with the general remark, which time may be trusted to verify, that every separate item of American relations with England or her colonies, large or small, — whether it was a question of treaties, of claims, of boundaries, of neutrality, of Fenians, or of coal and lumber, — whether treated by the Executive, by the Senate, by the House, or by individual members of the entire government, — under every form and every disguise, has been primarily and principally considered, subject to the rules of international custom, in its separate bearing on the subject of annexation. Thus at least some progress has been made towards simplifying the issues, and although the American government can scarcely say in so many words that it is willing to settle its claims on these terms, and on these terms alone, and although if it did say this, there is no power in the government upon which England, since her last year's experience and the failure of the St. Thomas treaty, could rely for a pledge that the engagement would be kept, yet at least, even though no distinct path out of the difficulty has thus far been discovered, it is clear in what direction the path must lie, and that sooner or later, probably pacifically, but at any rate inevitably, the end will be reached by its means. This opinion is based upon no private sources of information, on nothing that is secret or unknown to all the world. He would be a poor observer who could not catch the general drift of personal as well as public influences from indications which are as public as the press itself.

The Northern policy was, therefore, simple enough, and Mr. Fish, who was personally not responsible for its creation, carried out his share of it with a tact and good temper which gained for him and for the administration general and even universal credit. But the issues involved on the side of the tropics were far more difficult, and the variance of opinion was

far more strongly marked. From the first moment of the new administration the policy of active interference in the Antilles was forced upon its attention in a manner which left no chance of escape. The St. Thomas treaty, under which a popular vote had already been taken and the island formally transferred to an authorized agent of the United States government, had been for some six months reposing on the table of the Senate Committee of Foreign Relations. If the government meant to pursue a policy of annexation in the Antilles, it was peculiarly bound, by every obligation of international decency and of common self-respect, to begin with the ratification of this treaty. Indeed, there may be a grave doubt whether the obligation to ratify was not absolute and irrespective of conditions, but in any case the refusal to ratify this treaty was only to be excused on the understanding that it implied a reversal of the policy of annexation. Whether this excuse was ever actually offered to the Danish government as a bar to its remonstrances is a fact which could be ascertained only by reference to the Danish government itself, nor is it a question of real importance. The essential point is that a government should act with self-respect and honest intentions. The refusal to ratify the St. Thomas treaty was a strong measure which gravely compromised the dignity of the government and found its only excuse in the firm conviction that any annexation to the southward of the continent was a danger and a mistake. Moreover, it is absurd to suppose that the Senate can have one policy and the Executive another. For the policy that prevails the whole government must be held responsible, and the Executive cannot throw off this responsibility.

If a new tendency to check the national extension was brought to light by this treatment of the St. Thomas treaty, it was made still more conspicuous in regard to Cuba by the voluntary action of the Executive. It was well known that the President personally leaned towards interference in Cuban affairs, and that his Secretary of War, General Rawlins, was earnest in his support of the Cuban insurgents. Nevertheless it was evident that the influence of Mr. Fish had succeeded in checking this bent of the Executive, and that the Secretary had, with his usual good sense, saved the country from a very

embarrassing complication. Further, it was understood that, in order to obviate the want of a harbor in the West Indies, the St. Thomas treaty being practically rejected, the Bay of Samana would be permanently leased and occupied as a naval station. All these movements indicated that a new policy had been adopted by the government in regard to its southern relations, and that after mature deliberation it had been finally decided that the present administration would assume as the basis of all its future connection with the Antilles the principle which was soon to find utterance in the concise formula: "No annexation within the tropics."

Suddenly the San Domingo treaty made its appearance. Whence it came, why it was made, what influences supported it, are matters which no one has hitherto explained. One point alone was clear, and this was that the San Domingo treaty stood in flat opposition to the entire policy pursued down to that moment by the administration towards the West Indies, and it is as certain as anything resting on mere *a priori* reasoning can be, that neither Mr. Fish nor his colleagues as a body could possibly have sympathized in the proposed annexation, which was contrary to all their modes of thought and to their political education. No one would have believed them had they asserted their approval. No one did believe in Mr. Fish's earnestness, even though he loyally and energetically supported the treaty. The inference was only too obvious, and it is one which the public had a right to draw, that as heretofore Mr. Fish and his colleagues had succeeded in bringing the President over to their point of view in regard to Cuba and St. Thomas, so the President had now broken through the restraint and overruled Mr. Fish in regard to San Domingo.

A foreign policy so unsteady as this could scarcely be expected to command respect, although respect was precisely what the Cabinet most needed to command. Whatever the administration might choose to do, it was little likely that the Senate would follow its changes of opinion, and it must be allowed that for once the Senate had the strength of argument as well as of power on its side, while the administration put itself in a position where success or failure was almost equally

disastrous. Senator Sumner again stood forward to assume the control and direction of foreign affairs. He again wielded the power of the Senate and declared the policy of the government. The President and Mr. Fish struggled in vain against this omnipotent senatorial authority, although the President went so far as to make the issue one of personal weight, and condescended to do the work of a lobbyist almost on the very floor of the Senate Chamber, using his personal influence to an extent scarcely ever known in American experience, and offering a curious commentary on his own theory of executive duties. Mr. Sumner flung them both aside and issued his orders with almost the authority of a Roman triumvir.

What is to be the ultimate result of this contest, so far as regards the foreign policy, is a subject which may be left for future annual Reviews to discuss, as the situation of affairs becomes more clearly determined. There is room for more than a doubt as to the possibility of checking the growth of the country by the adoption of any arbitrary law in regard to the tropics, and it seems most probable that the resistance now made to this annexation of countries little fitted to enter into the duties of American States will ultimately yield to the growing public indifference to the States themselves. But from another point of view this whole affair had a still deeper significance, as showing an unsteadiness and a spasmodic irregularity of action in the Executive which, when contrasted with the opposite qualities displayed by the Senate, indicate clearly enough that the regular diminution of executive authority which was first clearly marked under Andrew Johnson, has not been checked, but on the contrary has been aggravated by the appearance of some internal weakness never before known in the history of American administrations. The success of any executive measure must now be bought by the use of the public patronage in influencing the action of legislators. The Executive has yielded without a protest to this necessity which it has helped to establish. Senators already claim special executive offices as their private property, and their claim is conceded. A Senator from Michigan claims a consulate in India; a Senator from Maine claims a consulate in England; a Senator from Kansas claims the mission to the Hague, and as proof of his

right of property nominates the Clerk of his Committee to the post. A Senator who desires the removal of an excellent officer does not scruple to accuse a member of the Cabinet of interference with his patronage if his request is denied. Senators do not hesitate to insult the President by rejecting one nomination to the Supreme Court because the candidate as member of the Cabinet has failed to reach their own standard of polished manners; nor to intimate their firm intention of rejecting any required number of others unless the candidates are prepared to reverse, as judges of the Supreme Court, the established constitutional law which limits the powers of Congress. Notwithstanding the exceptional case of San Domingo, the Executive has practically abandoned to the Senate the treaty-making power. The Executive has joined with Congress in assuming the powers reserved to the States, and in attacking the authority of the Supreme Court, while the precedent of the legal tender action appears to warrant the belief that Congress and the Executive have also established the principle that they hold between them the power to suspend private rights, not merely during war, but during will.

But this is not all. Not only has the whole internal fabric of the government been violently wrenched from its original balance until Congress has assumed authority which it was never intended to hold, but as the country grows and the pressure of business increases, the efficiency of the machine grows steadily less. New powers, new duties, new responsibilities, new burdens of every sort, are incessantly crowding upon the government at the very moment when it finds itself unequal to managing the limited powers it is accustomed to wield. Responsibility no longer exists at Washington. There is not a department of the Executive which does not say, with truth, that it cannot deal with the questions before it because Congress neglects legislation. If members of Congress are charged with responsibility for the neglect, they reply that the fault is not theirs; that the action of Congress is wholly in the hands of committees which constitute small, independent, executive councils; that some of these committees are arbitrary, some timid; some overpoweringly strong, some ridiculously weak; some factious, some corrupt. The House has little or no

practical control over the course of business. The rules have become so complicated as to throw independent members entirely into the background. The amount of business has become so enormous as to choke the channels provided for it. In the Senate there is greater power, less confusion, and more efficiency, but on the other hand there is more personal jealousy and factiousness. In both Houses all trace of responsibility is lost, and while the Executive fumes with impatience or resigns itself with the significant consolation that it is not to blame, that this is the people's government and the people may accept the responsibility, the members of the lower House are equally ready with the excuse that they are not responsible for the action of Senators, and Senators, being responsible to no power under Heaven except their party organizations, which they control, are able to obtain precisely what legislation answers their personal objects, or their individual conceptions of the public good.

Under the conditions of fifty years ago, when the United States was a mere child among nations, and before railways and telegraphs had concentrated the social and economical forces of the country into a power never imagined by past generations, a loose and separately responsible division of government suited the stage of national growth, and was sufficiently strong to answer the requirements of the public. All indications now point to the conclusion that this system is outgrown. The government does not govern; Congress is inefficient, and shows itself more and more incompetent, as at present constituted, to wield the enormous powers that are forced upon it, while the Executive, in its full enjoyment of theoretical independence, is practically deprived of its necessary strength by the jealousy of the Legislature. Without responsibility, direct, incessant, and continuous, no government is practicable over forty millions of people and an entire continent, and no responsibility exists at Washington. Every one who has the least acquaintance with the process of American government knows that the public business is not properly performed.

Meanwhile, reformers are straining every nerve to carry such a reform in the tariff as may make the system, not indeed good, — they cannot even hope this, — but a shade less fla-

grantly absurd, less ridiculously mediæval, less abominably dishonest, than it now is. Perhaps, as the result of unremitted labor extended over a period of years, they may ultimately succeed in carrying their point. The national government may at last be obliged to drop the unhealthy children whose precocious birth and growth it has stimulated by drugs and drams, and their corrupt political influence may vanish from the Capitol. But while the whole reforming strength is laboriously concentrated on the people, with no further object than to obtain the physical force to contest the possession of the national government with a single creature of the government's own creation, the government all the while continues to call into being other creatures far more fatal to its integrity than those which already control it. While the reformers in Congress rejoice at their victory in carrying a small reduction on pig-iron, or regret the omnipotence of the steel lobbyists, they turn about in their seats and create by a single stroke of special legislation a new Pacific railway, an imperishable corporation, with its own territory, an empire within a republic, more powerful than a sovereign State, and absolutely inconsistent with the purity of republican institutions, or with the safety of any government, whether democratic or autocratic. While one monopoly is attacked two are created; while old and true believers in republican purity and simplicity are engaged with desperate earnestness in resisting a single corruption, they are with their own hands stimulating the growth of many more. Nor is the fault theirs. The people require it, and even if the people were opposed, yet, with the prodigious development of corporate and private wealth, resistance must be vain.

Two points, separate and distinct to outward appearance, but closely connected in reality, have forced themselves upon the discussion proposed by this Review. The first has consisted in the general evidence which tends to show that the original basis of reserved powers on which the Constitution was framed has yielded and is yielding to natural pressure, and the gradual concession of power to the central government has already gone so far as to leave little doubt of the conclusion that the

great political problem of all ages cannot, at least in a community like that of the future America, be solved by the theory of the American constitution. The second has rested on the correlative evidence which points sharply to the conviction that the system of separate responsibility realized in the mechanism of the American government as a necessary consequence of its jealous restriction of substantial powers, will inevitably yield, as its foundation has yielded, to the mere pressure of necessity. The result is not one on which it is pleasant to look. It is not one which the country is prepared to accept, or will be soon in a temper to discuss. It is not one which it will hear announced by its professional politicians, who are not greatly accustomed to telling unpleasant truths. Nor is it here intended to point out, or even to suggest, the principles of reform. The discussion of so large a subject is matter for a lifetime, and will occupy generations. The American statesman or philosopher who would enter upon this great debate must make his appeal, not to the public opinion of a day or of a nation, however large or intelligent, but to the minds of the few persons who, in every age and in all countries, attach their chief interest to the working out of the great problems of human society under all their varied conditions.

HENRY BROOKS ADAMS.

ART. III. — COMPETITIVE EXAMINATIONS IN CHINA.

THE reform proposed in the organization of our civil service, which contemplates the introduction of a system of competitive examinations, makes an inquiry into the experience of other nations timely. England, France, and Prussia have each made use of competitive examinations in some branches of their public service. In all these states the result has been uniform, — a conviction that such a system, so far as it can be employed, affords the best method of ascertaining the qualifications of candidates for government employment. But in

these countries the experiment is of recent date and of limited application. We must look farther East if we would see the system working on a scale sufficiently large and through a period sufficiently extended to afford us a full exhibition of its advantages and defects.

It is in China that its merits have been tested in the most satisfactory manner; and if in this instance we should profit by their experience it would not be the first lesson we have learned from the Chinese nor the last that they are capable of giving us. It is to them that we are indebted, among other obligations, for the mariner's compass, for gunpowder, and probably also for a remote suggestion of the art of printing. These arts have been of the first importance in their bearing on the advancement of society, — one of them having effected a complete revolution in the character of modern warfare, while the others have imparted a mighty impulse to intellectual culture and commercial enterprise. Nor is it too much to affirm, that, if we should adopt the Chinese method of testing the ability of candidates, and of selecting the best men for the service of the state, the change it would effect in our civil administration would be not less beneficial than those that have been brought about by the discoveries in the arts to which I have referred.

The bare suggestion may perhaps provoke a smile; but does any one smile at the idea that we might improve our polity by studying the institutions of Egypt, Rome, or Greece? Are, then, the arrangements of a government that arose with the earliest of those states, and still exists in undecaying vigor, to be passed by as undeserving of attention? The long duration of the Chinese government and the vast population to which it has served to secure a fair measure of prosperity are phenomena that challenge admiration. Why should it be considered derogatory to our civilization to copy an institution which is confessedly the masterpiece in that skilful mechanism, — the balance-wheel that regulates the working of that wonderful machinery?

In the arts which we have borrowed from the Chinese we have not been servile imitators. In every case we have made improvements that astonish the original inventors. We em-

ploy movable type, apply steam and electricity to printing, use the needle as a guide over seas which no junk would have ventured to traverse, and construct artillery such as the inventors of gunpowder never dreamed of. Would it be otherwise with a transplanted competitive system? Should we not be able to purge it of certain defects that adhere to it in China and to render it productive of good results which it fails to yield in its native climate? I think, therefore, that I shall serve a better purpose than the simple gratification of curiosity if I devote a brief space to the consideration of the most admirable institution of the Chinese empire.

Its primary object was to provide men of ability for the service of the state, and, whatever else it may have failed to accomplish, it is impossible to deny that it has fulfilled its specific end, in a remarkable degree. The mandarins of China are almost without exception the choicest specimens of the educated classes. Alike in the capital and in the provinces, it is the mandarins that take the lead in every kind of literary enterprise. It is to them the Emperor looks to instruct as well as to govern his people; and it is to them that the publishers look for additions to the literature of the nation, — nine tenths of the new books being written by mandarins. In their social meetings, their conversation abounds in classical allusion; and instead of after-dinner speeches, they are accustomed to amuse themselves with the composition of impromptu verses, which they throw off with incredible facility. It is their duty to encourage the efforts of students, to preside at the public examinations, and to visit the public schools, — to promote, in short, by example as well as precept, the interests of education. Scarcely anything is deemed a deeper disgrace than for a magistrate to be found incompetent for this department of his official duties. So identified, indeed, are the mandarins with all that constitutes the intellectual life of the Chinese people, that foreigners have come to regard them as a favored caste, like the Brahmins of India, or as a distinct order enjoying a monopoly of learning, like the priesthood in Egypt.

Nothing could be further from the truth. Those stately officials for whom the people make way with such awe-struck

deference, as they pass along the street with embroidered robes and imposing retinue, are not possessors of hereditary rank, neither do they owe their elevation to the favor of their sovereign, nor yet to the suffrages of their fellow-subjects. They are self-elected, and the people regard them with the deeper respect, because they know that they have earned their position by intellectual effort. What can be more truly democratic than thus to offer to all "the inspiration of a fair opportunity"? In this genuine democracy China stands unapproached among the nations of the earth; for whatever imperfections may attach to her social organization or to her political system, it must be acknowledged that China has devised the most effectual method for encouraging effort and rewarding merit. Here at least is one country where wealth is not allowed to raise its possessor to the seat of power; where the will even of an emperor cannot bestow its offices on uneducated favorites; and where the caprice of the multitude is not permitted to confer the honors of the state on incompetent demagogues.

The institution that accomplishes these results is not an innovation on the traditional policy of the empire. It runs back in its essential features to the earliest period of recorded history. The adherence of the Chinese to it through so many ages well illustrates the conservative element in the national character; while the important changes it has undergone prove that this people is not by any means so fettered by tradition as to be incapable of welcoming improvements.

The germ from which it sprung was a maxim of the ancient sages, expressed in four syllables, *Kü hien jin neng*, — "Employ the able and promote the worthy"; and examinations were resorted to as affording the best test of ability and worth. Of Yushun, that model emperor of remote antiquity, who lived about B. C. 2200, it is recorded that he examined his officers every third year, and after three examinations either gave them promotion or dismissed them from the service. On what subjects he examined them, at a time when letters were but newly invented, and when books had as yet no existence, we are not told; neither are we informed whether he subjected candidates to any test previous to appointment; yet the mere fact of such a periodical examination established a precedent which has con-

tinued to be observed to the present day. Every third year the government holds a great examination for the trial of candidates, and every fifth year makes a formal inquisition into the record of its civil functionaries. The latter is a poor substitute for the ordeal of public criticism to which officials are exposed in a country enjoying a free press; but the former, as we shall have occasion to show, is thorough of its kind, and severely impartial.

More than a thousand years after the above date, at the commencement of the Chan dynasty, B. C. 1115, the government was accustomed to examine candidates as well as officers; and this time we are not left in doubt as to the nature of the examination. The Chinese had become a cultivated people, and we are informed that all candidates for office were required to give proof of their acquaintance with the five arts, — music, archery, horsemanship, writing, and arithmetic; and to be thoroughly versed in the rites and ceremonies of public and social life, — an accomplishment that ranked as a sixth art. These "six arts," expressed in the concise formula *li*, *yo*, *shay*, *yu*, *shu*, *su*, comprehended the sum-total of a liberal education at that period, and remind us of the *trivium* and *quadrivium* of the mediæval schools.

Under the dynasty of Han, after the lapse of another thousand years, we find the range of subjects for the civil-service examinations largely extended. The Confucian Ethics had become current, and a moral standard was regarded in the selection of the competitors, — the district magistrates being required to send up to the capital such men as had acquired a reputation for *hiao* and *lien*, — "filial piety" and "integrity," — the Chinese rightly considering that the faithful performance of domestic and social duties is the best guaranty for fidelity in public life. These *hiao-lien*, these "filial sons and honest subjects," whose moral character had been sufficiently attested, were now subjected to trial in respect to their intellectual qualifications. The trial was twofold, — first, as to their skill in the "six arts" already mentioned; and, secondly, as to their familiarity with one or more of the following subjects: the civil law, military affairs, agriculture, the administration of the revenue, and the geography of the empire with special reference

to the state of the water communications. This was an immense advance on the meagre requirements of the more ancient dynasties.

Passing over another thousand years, we come to the era of the Tangs and the Sungs, when we find the standard of literary attainment greatly elevated, the graduates arranged in three classes, and officials in nine, — a classification which is still retained.

Arriving at the close of the fourth millennium, under the sway of the Mings and the Tsings of the present day, we find the simple trials instituted by Shun expanded into a colossal system, which may well claim to be the growth of four thousand years. It still exhibits the features that were prominent in its earlier stages, — the "six arts," the "five studies," and the "three degrees" remaining as records of its progressive development. But the "six arts" are not what they once were; and the admirers of antiquity complain that examinations are sadly superficial as compared with those of the olden time, when competitors were required to ride a race, to shoot at a target, and to sing songs of their own composition to the accompaniment of their own guitars. In these degenerate days examiners are satisfied with odes in praise of music and essays on the archery and horsemanship of the ancients.

Scholarship is a very different thing now from what it was in those ruder ages, when books were few, and the harp, the bow, and the saddle divided the student's time with the oral instructions of some famous master. Each century has added to the weight of his burdens; and to the "heir of all the ages" each passing generation has bequeathed a legacy of toil. Doomed to die among the deposits of a buried world, and contending with millions of competitors, he can hardly hope for success without devoting himself to a life of unremitting study. True, he is not called upon to extend his researches beyond the limits of his own national literature; but that is all but infinite. It costs him at the outset years of labor to get possession of the key that unlocks it; for the learned language is totally distinct from his vernacular dialect, and justly regarded as the most difficult of the languages of man. Then he must commit to memory the whole circle of the recognized classics, and

make himself familiar with the best writers of every age of a country which is no less prolific in books than in men. No doubt his course of study is too purely literary and too exclusively Chinese, but it is not superficial. In a popular "Student's Guide," we lately met with a course of reading drawn up for thirty years! We proposed putting it into the hands of a young American residing in China, who had asked advice as to what he should read. "Send it," he replied, "but don't tell my mother."

But it is time to take a closer view of these examinations as they are actually conducted. The candidates for office, — those who are acknowledged as such, in consequence of sustaining the initial trial, — are divided into the three grades of *siu-ts'ai*, *chü-jin*, and *tsin-shi*, — "Budding Geniuses," "Promoted Scholars," and those who are "Ready for Office." The trials for the first are held in the chief city of each district or *hien*, a territorial division which corresponds to our county or to an English shire. They are conducted by a chancellor, whose jurisdiction extends over an entire province, containing, it may be, sixty or seventy such districts, each of which he is required to visit once a year, and each of which is provided with a resident sub-chancellor, whose duty it is to examine the scholars in the interval, and to have them in readiness on the chancellor's arrival.

About two thousand competitors enter the lists, ranging in age from the precocious youth just entering his teens up to the venerable grandsire of seventy winters. Shut up for a night and a day, each in his narrow cell, they produce each a poem and one or two essays on themes assigned by the chancellor, and then return to their homes to await the bulletin announcing their place in the scale of merit. The chancellor, assisted by his clerks, occupies several days in sifting the heap of manuscripts, from which he picks out some twenty or more that are distinguished by beauty of penmanship and grace of diction. The authors of these are honored with the degree of "Budding Genius," and are entitled to wear the decorations of the lowest grade in the corporation of mandarins. The successful student wins no purse of gold and obtains no office, but he has gained a prize, which he deems a sufficient compensation for

years of patient toil. He is the best of a hundred scholars, exempted from liability to corporal punishment, and raised above the vulgar herd. The social consideration to which he is now entitled makes it a grand day for him and his family.

Once in three years these "Budding Geniuses," these picked men of the districts, repair to the provincial capital to engage in competition for the second degree, — that of *chü-jin*, or "Promoted Scholar." The number of competitors amounts to ten thousand, more or less, and of these only one in every hundred can be admitted to the coveted degree. The trial is conducted by special examiners sent down from Pekin; and this examination takes a wider range than the preceding. No fewer than three sessions of nearly three days each are occupied instead of the single day for the first degree. Compositions in prose and verse are required, and themes are assigned with a special view to testing the extent of reading and depth of scholarship of the candidates. Penmanship is left out of the account, — each production, marked with a cipher, being copied by an official scribe, that the examiners may have no clew to its author and no temptation to render a biased judgment.

The victor still receives neither office nor emolument; but the honor he achieves is scarcely less than that which was won by the victors in the Olympic games. Again, he is one of a hundred, each of whom was a picked man; and as a result of this second victory he goes forth an acknowledged superior among ten thousand contending scholars. He adorns his cap with the gilded button of a higher grade, erects a pair of lofty flag-staffs before the gate of his family residence, and places a tablet over his door to inform those who pass by that this is the abode of a literary prize-man. But our "Promoted Scholar" is not yet a mandarin, in the proper sense of the term. The distinction already attained only stimulates his desire for higher honors, — honors which bring at last the solid recompense of an income.

In the spring of the following year he proceeds to Pekin to seek the next higher degree, the attainment of which will prove a passport to office. The contest is still with his peers, that is,

with other "Promoted Scholars," who like himself have come up from all the provinces of the empire. But the chances are this time more in his favor, as the number of prizes is now tripled, and if the gods are propitious his fortune is made. Though ordinarily not very devout, he now shows himself peculiarly solicitous to secure their favor. He burns incense and gives alms. If he sees a fish floundering on the hooks, he pays its price and restores it to its native element. He picks struggling ants out of the rivulet made by a recent shower, distributes moral tracts, or, better still, rescues chance bits of printed paper from being trodden in the mire of the streets. If his name appears among the favored few, he not only wins himself a place in the front ranks of the lettered, but he plants his foot securely on the rounds of the official ladder by which, without the prestige of birth or the support of friends, it is possible to rise to a seat in the grand council of state or a place in the Imperial Cabinet. All this advancement presents itself in the distant prospect, while the office upon which he immediately enters is one of respectability, and it may be of profit. It is generally that of mayor or sub-mayor of a district city, or sub-chancellor in the district examinations, — the vacant posts being distributed by lot, and therefore impartially, among those who have proved themselves to be "ready for office."

Before the drawing of lots, however, for the post of a magistrate among the people, our ambitious student has a chance of winning the more distinguished honor of a place in the Imperial Academy. With this view, the two or three hundred survivors of so many contests appear in the palace, where themes are assigned them by the Emperor himself, and the highest honor is paid to the pursuit of letters by the exercises being presided over by his Majesty in person. Penmanship reappears as an element in determining the result, and a score or more of those whose style is the most finished, whose scholarship the ripest, and whose handwriting the most elegant, are drafted into the college of Hanlin, the "forest of pencils," a kind of Imperial Institute, the members of which are recognized as standing at the head of the literary profession. These are constituted poets and historians to the Celestial Court, or

deputed to act as chancellors and examiners in the several provinces.

But the diminishing series in this ascending scale has not yet reached its final term. The long succession of contests culminates in the designation by the Emperor of some individual whom he regards as the *Chuang-Yuen* or model scholar of the empire, — the bright consummate flower of the season. This is not a common annual like the Senior Wranglership of Cambridge, nor the product of a private garden like the valedictory orator of our American colleges. It blooms but once in three years, and the whole empire yields but a single blossom, — a blossom that is culled by the hand of Majesty and esteemed among the brightest ornaments of his dominion. Talk of academic honors such as are bestowed by Western nations, in comparison with those which this Oriental empire heaps on her scholar laureate! Provinces contend for the shining prize, and the town that gives the victor birth becomes noted forever. Swift heralds bear the tidings of his triumph, and the hearts of the people leap at their approach. We have seen them enter a humble cottage, and amid the flaunting of banners and the blare of trumpets announce to its startled inmates that one of their relations had been crowned by the Emperor as the laureate of the year. And so high was the estimation in which the people held the success of their fellow-townsman, that his wife was requested to visit the six gates of the city, and to scatter before each a handful of rice, that the whole population might share in the good fortune of her household. A popular tale, *La Bleue et La Blanche*, translated from the Chinese by M. Julien, represents a goddess as descending from heaven, that she might give birth to the scholar laureate of the empire.

All this has, we confess, an air of Oriental display and exaggeration. It suggests rather the dust and sweat of the great national games of antiquity than the mental toil and intellectual triumphs of the modern world. But it is obvious that a competition which excites so profoundly the interest of a whole nation must be productive of very decided results. That it leads to the selection of the best talents for the service of the public we have already seen; but beyond this — its

primary object — it exercises a profound influence upon the education of the people and the stability of the government. It is all, in fact, that China has to show in the way of an educational system. She has no colleges or universities, — if we except one that is yet in embryo, — and no national system of common schools; yet it may be confidently asserted that China gives to learning a more effective patronage than she could have done if each of her emperors were an Augustus and every premier a Mæcenas. She says to all her sons, "Prosecute your studies by such means as you may be able to command, whether in public or in private, and when you are prepared, present yourselves in the examination hall. The government will judge of your proficiency and reward your attainments."

Nothing can exceed the ardor which this standing offer infuses into the minds of all who have the remotest prospect of sharing in the prizes. They study not merely while they have teachers to incite them to diligence, but continue their studies with unabated zeal long after they have left the schools; they study in solitude and poverty; they study amidst the cares of a family and the turmoil of business; and the shining goal is kept steadily in view until the eye grows dim. Some of the aspirants impose on themselves the task of writing a fresh essay every day; and they do not hesitate to enter the lists as often as the public examinations recur, resolved, if they fail, to continue trying, believing that perseverance has power to command success, and encouraged by the legend of the man who, needing a sewing-needle, made one by grinding a crowbar on a piece of granite.

We have met an old mandarin, who related with evident pride how, on gaining the second degree, he had removed with his whole family to Pekin, from the distant province of *Yunnon*, to compete for the third; and how at each triennial contest he had failed, until, after more than twenty years of patient waiting, at the seventh trial, and at the mature age of threescore years, he bore off the coveted prize. He had worn his honors for seven years, and was then mayor of the city of Tientsin. In a list now on our table of ninety-nine successful competitors for the second degree, sixteen are over forty years of age, one sixty-two, and one eighty-three. The average age

of the whole number is above thirty; and for the third degree the average is of course proportionally higher.

So powerful are the motives addressed to them, that the whole body of scholars who once enter the examination hall are devoted to study as a life-long occupation. We thus have a class of men, numbering in the aggregate many millions, who keep their faculties bright by constant exercise, and whom it would be difficult to parallel in any Western country for readiness with the pen and retentiveness of memory. If these men are not highly educated, it is the fault, not of the competitive system which proves its power to stimulate them to such prodigious exertions, but of the false standard of intellectual merit established in China. In that country letters are everything and science nothing. Men occupy themselves with words rather than with things; and the powers of acquisition are more cultivated than those of invention.

The type of Chinese education is not that of our modern schools; but, when compared with the old curriculum of languages and philosophy, it appears by no means contemptible. A single paper, intended for the last day of the examination for the second degree, may serve as a specimen. It covers five subjects, — criticism, history, agriculture, military affairs, and finance. There are about twenty questions on each subject, and whilst they certainly do not deal with it in a scientific manner, it is something in their favor to say that they are such as cannot be answered without an extensive course of reading in Chinese literature. One question under each of the five heads is all that our space will allow us to introduce.

1. "How do the rival schools of *Wang* and *Ching* differ in respect to the exposition of the meaning and the criticism of the text of the Book of Changes?"

2. "The great historian *Sze-ma-ts'ien* prides himself upon having gathered up much material that was neglected by other writers. What are the sources from which he derived his information?"

3. "From the earliest times great attention has been given to the improvement of agriculture. Will you indicate the arrangements adopted for that purpose by the several dynasties?"

4. "The art of war arose under *Hwangte*, 4400 years ago.

Different dynasties have since that time adopted different regulations in regard to the use of militia or standing armies, the mode of raising supplies for the army, etc. Can you state these briefly?"

5. "Give an account of the circulating medium under different dynasties, and state how the currency of the *Sung* dynasty corresponded with our use of paper money at the present day."

In another paper, issued on a similar occasion, astronomy takes the place of agriculture, but the questions are confined to such allusions to the subject as are to be met with in the circle of their classical literature, and afford but little scope for the display of scientific attainments. Still, the fact that a place is found for this class of subjects is full of hope. It indicates that the door, if not fully open, is at least sufficiently ajar to admit the introduction of our Western sciences with all their progeny of arts, a band powerful enough to lift the Chinese out of the mists of their mediæval scholasticism, and to bring them into the full light of modern knowledge. If the examiners were scientific men, and if scientific subjects were made sufficiently prominent in these higher examinations, millions of aspiring students would soon become as earnest in the pursuit of modern science as they now are in the study of their ancient classics.* Thus reformed and renovated by the injection of fresh blood into the old arteries, this noble institution would rise to the dignity of a great national university, — a university not like those of Oxford or Cambridge, which train their own graduates, but — to compare great things with small — like the University of London, promoting the cause of learning by examining candidates and conferring degrees. The University of London admits to its initial examination annu-

* As a sample of the practical bearing which it is possible to give to these examination exercises we take a few questions from another paper: —

"Fire-arms began with the use of rockets in the Chan dynasty (B. C. 1100); in what book do we first meet with the word for cannon? What is the difference in the two classes of engines to which it is applied? (applied also to the catapult.) Is the defence of K'aifungfu its first recorded use? Kublai Khan, it is said, obtained cannon of a new kind; from whom did he obtain them? The Sungs had several varieties of small cannon; what were their advantages? When the Mings, in the reign of Yungloh, invaded Cochin-China, they obtained a kind of cannon called the 'weapons of the gods'; can you give an account of their origin?"

ally about 1,400 candidates, and passes one half. The government examinations of China admit about 2,000,000 candidates every year, and pass only one per cent.

The political bearings of this competitive system are too important to be passed over, and yet too numerous to be treated in detail. Its incidental advantages may be comprehended under three heads.

1. It serves the state as a safety-valve, providing a career for those ambitious spirits which might otherwise foment disturbances or excite revolutions. Whilst in democratic countries the ambitious flatter the people, and in monarchies fawn on the great, in China, instead of resorting to dishonorable acts or to political agitation, they betake themselves to quiet study. They know that their mental calibre will be fairly gauged, and that if they are born to rule, the competitive examinations will open to them a career. The competitive system has not, indeed, proved sufficient to employ all the forces that tend to produce intestine commotion; but it is easy to perceive that without it the shocks must have been more frequent and serious.

2. It operates as a counterpoise to the power of an absolute monarch. Without it the great offices would be filled by hereditary nobles, and the minor offices be farmed out by thousands to imperial favorites. With it a man of talents may raise himself from the humblest ranks to the dignity of viceroy or premier. *Tsiang siang pun wu chung*, — "The general and the prime minister are not born in office," — is a line that every schoolboy is taught to repeat. Rising from the people, the mandarins understand the feelings and wants of the people, though it must be confessed that they are usually avaricious and oppressive in proportion to the length of time it has taken them to reach their elevation. Still, they have the support and sympathy of the people to a greater extent than they could have if they were the creatures of arbitrary power. The system, therefore, introduces a popular element into the government, — a check on the prerogative of the Emperor as to the appointment of officers, and serves as a kind of constitution to his subjects, prescribing the conditions on which they shall obtain a share in the administration of the government.

3. It gives the government a hold on the educated gentry, and binds them to the support of existing institutions. It renders the educated classes eminently conservative, because they know that in the event of a revolution civil office would be bestowed, not as the reward of learning, but for political or military services. The *literati*, the most influential portion of the population, are for this reason also the most loyal. It is their support that has upheld the reigning house, though of a foreign race, through these long years of civil commotion, while to the "rebels" it has been a ground of reproach and a source of weakness that they have had but few literary men in their ranks.

In districts where the people have distinguished themselves by zeal in the imperial cause, the only recompense they crave is a slight addition to the numbers on the competitive prize list. Such additions the government has made very frequently of late years, in consideration of money supplies. It has also, to relieve its exhausted exchequer, put up for sale the decorations of the literary orders, and issued patents admitting contributors to the higher examinations without passing through the lower grades. But though the government thus debases the coin, it guards itself jealously against the issue of a spurious currency. Seven years ago Peiching, first president of the Examining Board at Pekin, was put to death for having fraudulently conferred two or three degrees. The fraud was limited in extent, but the damage it threatened was incalculable. It tended to shake the confidence of the people in the administration of that branch of the government which constituted their only avenue to honors and office. Even the Emperor cannot tamper with it without peril. It is the Chinaman's ballot-box, his grand charter of rights; though the Emperor may lower its demands, in accordance with the wishes of a majority, he could not set it aside without producing a revolution.

Such is the Chinese competitive system, and such are some of its advantages and defects. May it not be feasible to graft something of a similar character on our own republican institutions? More congenial to the spirit of our free government, it might be expected to yield better fruits in this country than in

China. In British India it works admirably. In Great Britain, too, the diplomatic and consular services have been placed on a competitive basis; and something of the kind must be done for our own foreign service if we wish our influence abroad to be at all commensurate with our greatness and prosperity at home. When will our government learn that a good consul is worth more than a man-of-war, and that an able minister is of more value than a whole fleet of iron-clads? To secure good consuls and able ministers we must choose them from a body of men who have been picked and trained.

In effecting these reforms, Mr. Jenckes's bill might serve as an entering wedge. It would secure the acknowledgment of the principle — certainly not alarmingly revolutionary — that places should go by merit. But it does not go far enough. "It does not," he says, "touch places which are to be filled with the advice and consent of the Senate. It would not in the least interfere with the scramble for office which is going on at the other end of the Avenue, or which fills with anxious crowds the corridors of the other wing of the Capitol. This measure, it should be remembered, deals only with the inferior officers, whose appointment is made by the President alone, or by the heads of departments."

But what danger is there of infringing on the rights of the Senate? Is there anything that would aid the Senate so much in giving their "advice and consent" as the knowledge that the applicants for confirmation had proved their competence before a Board of Examiners? And would not the knowledge of the same fact lighten the burdens of the President, and relieve him of much of the difficulty which he now experiences in the selection of qualified men? Such an arrangement would not take away the power of executive appointment, but regulate its exercise. Nor would it, if applied to elective offices, interfere with the people's freedom of choice further than to insure that the candidates should be men of suitable qualifications. It may not be easy to prescribe rules for that popular sovereignty which follows only its own sweet will, but it is humiliating to reflect that our "mandarins" are so far from being the most intellectual class of the community.

William A. P. Martin.

ART. IV. — 1. *Money.* By CHARLES MORAN. New York: D. Appleton & Co. 1863.
2. *Principles of Currency.* By EDWIN HILL. London: Longman, Brown, Green, and Longmans. 1856.
3. *Principles of Currency.* By BONAMY PRICE. Oxford and London: James Parker & Co. 1869.

OF all the numerous and violent changes produced in the United States by the war of the Rebellion, the most important is the change in the distribution of wealth consequent upon the creation of a great national debt. As a result of this change fiscal and financial problems have assumed with us an importance never before experienced, — an importance intensified by the absence of that study of such problems, which is scarcely ever undertaken except at the demand of practical necessity. We are thus face to face with problems of the utmost national importance, some of which have never yet been solved, and others have received only solutions which are not applicable to our situation; while to all of them we have as a nation heretofore been profoundly indifferent, and concerning their precise nature are consequently to a corresponding degree ignorant.

Our position is rendered more difficult even than is at first sight apparent from the fact that *all* our fiscal and financial problems have, through previous faulty legislation, become so thoroughly interlaced and interwoven with one another that it is utterly impossible to separate them, while at the same time our method of practical legislation does not admit of their being dealt with otherwise than separately, nor has as yet the master-mind appeared capable of dealing with them in the aggregate. So intimate is the relation between these different problems, that every effort to furnish a practical solution of either one of them has invariably been defeated by the influence of persons or classes interested in the others. The problem of taxation — without reference even to its methods — cannot be practically considered without first fixing the amount of revenue required. The amount of revenue required depends to a large extent upon the ultimate disposition to be

made of the national debt, its rate of interest, the methods of its reduction or final payment. No disposition can be made of the debt without widely affecting the national banks, whose very existence is based upon the debt. No change can be made in the national banks, without interfering with the currency, and with the currency is bound up the question of specie payments, while on the latter again both taxation and the funding of the debt are largely dependent. While in this view of the case we need no longer feel surprise at the chaotic condition of legislation on these subjects, we cannot but recognize that the currency problem, which is more intimately connected with all the other problems than they are with one another, is really the key to the situation.

No wonder that the other problems are little understood, when the one upon which all others depend for their solution is that profound mystery which, ever since the creation of political economy, has puzzled the wisest of economists, — the currency. It is scarcely an exaggeration to say, that, since the search after the philosopher's stone, no one subject has more thoroughly occupied the minds of able thinkers than the search after an acceptable theory of the nature of money. No abler minds have been occupied with any science for the last century than those which have devoted themselves to the study of economic science. In all other branches of this science conclusions have been reached which have been, if not universally approved, yet widely accepted. On the subject of money alone no two original thinkers have yet been found to agree. And where profound thinkers fail to agree, how can the thoughtless public be expected to form intelligent opinions ?

Indeed, on no subject of universal interest does such utter want of knowledge exist as on this subject of money, while at the same time on no subject does every one express his opinion with equal confidence. We are as a nation peculiarly identified with money. The vulgar European belief in our worship of the "almighty dollar" is undoubtedly more or less well founded. As a people we unquestionably do think more of money than any other people of modern times. We love the possession of money in ourselves; we honor it in

others. Our principal object in life is to make money, and for the last ten years we have made more money, and have made it of more different kinds than ever nation did before. We are the largest producers of gold and silver in the world, and have been led to believe that our Pacific States are the great money-box of the nineteenth century. It was, therefore, not unnatural for us to think that, if ever people understood money, the people of the United States understood it.

It was this general belief, that the question is so simple and so thoroughly understood, which until recently has deterred many of our best thinkers from seeking to answer it; for in the intensely practical nature of our life we are too apt to shun labor which promises no result, and to avoid saying what may not be listened to. As Bastiat well said in his little pamphlet, "Maudit Argent," "I curse money, because I feel myself incapable of wrestling with the errors to which it has given birth, without a long and tedious dissertation to which no one will listen." But the extremely pressing nature of the national demand for a settlement of the practical questions connected with money has very materially changed the public temper with regard to the scientific discussion of its nature, and so great has been the reaction, that, for some time past, scarcely any topic has excited more universal attention. It now seems time to give the subject that thorough discussion which a few years since would not have been listened to.

All writers on money have assumed that, originally, all trade consisted of barter, and that barbarous peoples exchanged one kind of goods for another kind of goods without the use of any money whatever, and indeed without thought or knowledge of money; that for a long period of time people found it perfectly convenient to transact their business in that manner, and got along very well without money; but that at some time or other they discovered the inconvenience of this method of doing business, that then somebody *invented* money, and that everybody recognized the advantages of its use, and its use consequently became general.

This assumption is utterly unfounded, and is itself the foundation of many subsequent errors. In examining carefully the

historic or contemporary accounts of barbarous nations, it will be found that, even where barter flourished, money of some kind was almost always known, and that trade was carried on by barter only between strangers or those whose money was of different kinds. In fact, barter is a very complicated trade, which presupposes an advanced state of civilization, admitting of trade between peoples very wide apart in their natural productions, or else requiring a decided progress in the division of labor, so as to cause individuals of the same people to be engaged in very various occupations.

A far more natural assumption is, that trade originally consisted exclusively of *loans*. The strongest and most skilful individual of a tribe had killed an animal larger than he needed for his food; he would lend a portion of it to those less successful than himself, to be returned to him from the proceeds of their next chase. He had made a stronger, better bow, which he would lend when not using it. He had made larger crops and saved more, and of his savings he would lend. We are, unfortunately, unacquainted with the history of any people that had not advanced beyond this stage; but we do possess knowledge of peoples who are still in the very next stage beyond. And of these Mr. Du Chaillu's recent work on "Equatorial Africa" furnishes so striking an illustration that we cannot refrain from quoting it entire: —

"Let me here give the reader an idea of African commerce. The rivers, which are the only highways of the country, are of course the avenues by which every species of export and import must be conveyed from and to the interior. Now, the river banks are possessed by different tribes. Thus, while the Mpongive hold the mouth and some miles above, they are succeeded by the Shekiani, and these again by other tribes, to the number of almost a dozen, before the Sierra del Cristal, or Crystal Mountains, are reached. Each of these tribes acts as a go-between or middle-man to those next to it, and charges a heavy percentage for this office. Thus, a piece of ivory or ebony may belong originally to a negro in the far interior, and if he wants to barter it 'for white man's trade,' he intrusts it to some fellow in the next tribe nearer to the coast than his own. He, in turn, disposes of it to the next chief or friend; and thus ivory, or ebony, or bar-wood, or whatever, is turned and turned, and passes through probably a dozen hands ere it reaches the factory of the trader on the coast.

"When the last black fellow disposes of this piece of ebony or ivory to the white merchant or captain on the coast, he first retains a liberal percentage of the returns, and then hands the remainder over to his next neighbor above. He, in turn, takes a commission for his trouble, and passes on what is left, until finally the remainder — often little enough — is handed over to the original owner of the ivory tusk or ebony log."

It is very evident that this large and important trade among the Mpongive and Shekiani negroes is carried on without barter and without money, by the simple process of *lending* the article until the article itself is returned, or some other article brought in exchange. In other words, the trade of the Mpongive and Shekiani negroes is carried on, without barter and without money, by means of a system of trust or credit. So entirely natural and reasonable, so entirely in harmony with all *a priori* conclusions does this method of trade seem to us, that we do not hesitate to accept it as the original form of trade among barbarous peoples, entirely discarding the generally accepted theory of barter. We accept the theory all the more readily, because out of it the practice of using money develops itself in the most natural and orderly manner, and because it furnishes the only true explanation of money in all shapes and under all disguises.

Only a few pages beyond the quotation just given may be found a vivid description of the evils naturally growing out of this "credit" system, which Mr. Du Chaillu, in the interest of the trade on the coast, seeks to abolish. The negro in the far interior who first starts the ivory tusk on its voyage down the Gaboon finds one day that he gets no return at all; the fellow of the tribe next below him, to whom he had lent it, *is seized by his creditors* and the property taken from him; or he falls in with enemies and is killed, or taken prisoner and sold to slave-traders, or his canoe is upset by the rapids or by a startled rhinoceros, and his cargo lost. Even if the original beginner of the trade, — the man who killed the elephant or felled the tree, — even if he is not entirely deprived, by fraud or violence or accident, of the proceeds of his merchandise, he yet finds himself so often deceived, — finds so often that his returns of "white man's goods," received in exchange for his

own, are entirely out of proportion to his just anticipations, that he becomes at last unwilling to lend his goods, *unless he can get some reasonable security that he will receive a fair return.*

Now what security can a savage offer? His wealth consists in his arms, his trifling household utensils, and — *his ornaments:* the beads or shells around his neck, the gold or silver or copper rings on his arms or in his ears. These he pledges as security for the merchandise he borrows. Like Balafré, the Scotch archer in Quentin Durward, type of a different savage among more civilized nations, he bites the links off his golden neck-chain, and pledges them wherever he is in debt. The pretty sea-shells, the cowrie of the East African, the wampum of the North American Indian, the copper rings of the West African, the golden and silver rings of the West Indian and of the Mexican and Central American are all used by them as ornaments, and as ornaments are pledged by them as security for borrowed merchandise.

Accordingly, when the negro in the interior of Africa accepts his neighbor's personal ornaments as security for the merchandise he has lent him, it is not the ornaments which he wants; it is "white man's trade," — powder, shot, knives, hatchets, and the like, but he takes the beads and shells or brass and golden rings because he knows that the original owner will want them back, and that in order to get them back he will bring the powder and ball and rum which he has promised in exchange for the ivory tusk. As soon as he brings these he receives back his ornaments, and the trade is completed.

Far-fetched as this illustration may seem at first sight, it is in reality the most natural that can be imagined, and is based upon actual facts. To us it offers the most complete solution of the problem: What is money?

Money is a personal ornament temporarily pledged as security for merchandise borrowed.

All gold and silver have value only as ornaments. It is only when they are temporarily perverted from their original purpose that they become money. Among savages we readily recognize this truth, but we find it difficult to admit it among ourselves. Yet it is precisely as true to-day, in our highly

advanced civilization, as it ever was among the Aztecs, or as it is among the Mpongive negroes. By far the smallest portion of the gold and silver in existence is in the shape of money. By far the largest is in the shape of ornament. One needs only to reflect for one moment. Every man, woman, and child in the United States owns some trifling ornament of gold or silver. Think of the ear-rings and finger-rings, which everybody wears; think of the other ornaments worn by the more wealthy, the buttons and bracelets and breastpins, the gold and silver watches, the gold and silver pencil-cases; think of the gold and silver and plated table-ware, — the thousand and one things in every household that make up the nation's wealth of silver and gold, — and it will be evident that, with us at least, every individual owns more gold and silver in the shape of ornament than in the shape of money. The probabilities of the case evidently support our assertion. But we have better authority.

Jacob, in his elaborate "Historical Inquiry into the Production and Consumption of the Precious Metals," estimates (in 1831) "the quantity of gold and silver in actual existence [in England], including utensils, ornaments, jewelry, trinkets, and watches, as *three or four times as great* as the value of those metals which exists in the form of money." And McCulloch estimates the annual consumption of gold in the arts, which is almost all used for ornaments, as sixty millions of dollars a year, against only fifty millions of dollars used for coin. It is notorious, likewise, that a large amount of coin is every year melted down for use by jewellers, which would swell the proportion devoted to ornament, and *pro tanto* diminish that devoted to coin. Besides, McCulloch considers the amount annually absorbed by the East, amounting to over fifty millions, as an entirely separate thing, although all authorities agree that only a very small portion of this amount is ever converted into coin. If we take these two last items into consideration, we shall probably be near the truth in assuming that of the precious metals produced annually two thirds are converted into ornaments, and only one third, or perhaps less, into coin.

We cannot but think that reflection on these figures will

place the question of money in a somewhat novel light for most readers, and will make our comparison of our complicated money system with that of the Mpongive negroes seem less startling. The fact is, that of the precious metals now in existence and annually produced by far the largest proportion consists of, or is converted into, ornaments, and that from this storehouse, this reservoir as it were, of ornament, a portion is being constantly withdrawn for *temporary* use as security for merchandise borrowed. Personal ornaments constitute the great reservoir, the parent lake. Into that ever flows the great river of supply; from that is ever drawn the irrigating rivulet of coin, and into that flows back the coin rivulet when it has done its work elsewhere. When the Mpongive negro takes off his golden anklets, he takes a drop from the great lake of ornament, and when he pledges it with his Shekiani neighbor, he turns it into the stream of money. When he brings back the "white man's trade" from the coast and redeems his pledge, he takes back the drop from the stream of money, and replaces it in the lake of ornament. As long as his ornament is pledged as security it is money. The moment it ceases to be pledged as security it ceases to be money, and again becomes ornament. The essential transaction is the borrowing of the merchandise. So long as ornament is pledged as security for borrowed merchandise, it is money. So soon as the borrowed merchandise, or the equivalent agreed upon, is returned, the money, become ornament again, ceases to exist.

Money exists only as a security for borrowed merchandise.

Return once more to the Mpongive negro. When he accepts his neighbor's personal ornaments for the merchandise he has lent him, it is not the ornaments which he wants. What he does want is "white man's trade." He knows the original owner will bring the "white man's trade," in order to get his ornaments back; but he also knows that if the first neighbor fails to redeem his pledge, the very pledge will procure him from some other neighbor the articles which he desires, for the reason that all men are continually striving to possess themselves of an increasing supply of personal ornaments. In this manner the brass or gold ring pledged in his hands as security

for one negro's debt becomes a means of collecting that debt from anybody else, enables him to borrow from any one else the merchandise for which the original owner first pledged it. It thus makes no difference who it was that originally pledged the gold ring for the merchandise; the holder of the pledge knows that on that pledge he can borrow the same merchandise from any one else, and every owner of merchandise will lend his goods against that pledge, without inquiring who originally owned it. In this manner every one's desire to acquire personal ornaments induces every one to accept them as security for the loan of every kind of goods; in other words, money is everywhere accepted as security for borrowed goods, because it is immediately convertible into personal ornament, if no longer required as security.

But whoever may have first pledged the ring, in whosesoever hands the ring may be, it never is anything else but the security for the first original lot of merchandise borrowed. The original borrower of the ivory tusk is the original owner of the ring. When he returns the ivory tusk or its equivalent, the ring reverts to him. As it makes no difference to the original owner of the tusk who gives him "the white man's trade" in exchange for his tusk or in exchange for the trader's ring, so it makes no difference to the trader from whom he gets back his ring, so long as he gets it. So long as the trader holds the tusk his ring is money in somebody else's hands. So soon as he returns the tusk, or its equivalent, some one returns him his ring, or another like it, to wear as ornament; no matter through how many hands the ivory tusk may pass, there is only that one tusk borrowed against that one ring; no matter how many ivory tusks may have been borrowed, only one ring was pledged for each; no matter how many rings there may be pledged, each one was pledged for one tusk only; no matter through how many hands each ring may pass, there is only one tusk pledged for each one ring. *At this stage of civilization the money in existence is precisely equal to the total value of all the merchandise at that moment borrowed.*

So far we have spoken of money only as "ornament" pledged. It is very easy to understand how these ornaments

gradually assume the shape of "coin." Rings of brass or silver or gold of unequal size and weight are occasionally marked by the owner as weighing so many pounds or ounces, in order to establish their comparative value as ornaments. When once thus marked they become more desirable for use as security than other rings, and hence certain rings get gradually and insensibly set apart for purposes of trade, and are no longer generally used as ornament. When once a certain number of these rings is thus set apart, it is found more convenient some day to have them all of regular size and weight, and some rich owner smelts them down, and recasts them of equal size. Again, it is found that a flat, round piece of gold is more suitable than the hollow ring, and then some are recast in that shape. Again, some petty chieftain stamps his mark upon the pieces, to show to all men that each one is of a certain weight, and thus by slow, successive, almost inappreciable steps, gold bracelets and anklets develop into pillar dollars and double eagles, which pass current over half the globe, which everybody now calls coin, which nobody ever looks upon as ornament, but which everybody regards as something mysterious, incomprehensible, and of unknown origin.

But this slight change of the anklet and bracelet into pillar dollars and double eagles, of ornament into coin, does not change the essential nature of the thing in the least degree. Coin in no respect differs from uncoined money, except that it is not in precisely the best shape for use as ornament. Coin is precious metal, in a shape slightly more valuable for use as money, slightly less valuable for use as ornament. But, with this trifling difference, coin is in every respect precisely the same thing as the money we have heretofore spoken of.

Coin is a personal ornament, temporarily pledged as security for merchandise borrowed.

Coin exists only as a security for borrowed merchandise.

In a certain stage of civilization the coin in existence is precisely equal to the total value of the merchandise at that moment borrowed.

We assume that all trade consists originally in the loan of property or merchandise. We know that among certain bar-

barous peoples trade does consist simply in the loan of property or merchandise. We see these barbarous peoples carrying on a trade of considerable importance by precisely that method, by lending merchandise without acknowledgment, without security. We see these same peoples emerging into a somewhat higher sphere of development, still carrying on their trade by lending their merchandise, but now demanding an acknowledgment, a security, and giving as their security personal ornaments, which we see in the course of time gradually develop into coined money. In what essential aspect does the trade of these peoples differ from the trade of our European forefathers of the Middle Ages? In none whatever. The trade of Northern Europe five centuries ago was carried on almost exactly as here described. Merchandise was borrowed and coin given as security, and trade was limited to the limited amount of existing coin which could be given as security. Up to, and for many years after, the time of the discovery of America, the increase of wealth among European nations was far more rapid than the increase in the supply of precious metals. Gold, silver, diamonds, and other precious things cannot be produced to order. The quantity produced depends very largely upon the accidental discovery of the hidden sources of supply, and for centuries scarcely any addition was made to the stock of gold and silver at the world's disposal. At the same time that the wealth of Europe rapidly increased without any corresponding increase in the supply of the precious metals, the existing supply was, in ever-increasing proportions, absorbed for ornament by the wealthy. The celebrated Raymond Fugger could show to his liege lord, the Duke of Augsburg, "a little turret filled with chains and trinkets and jewelry, and strange coins and pieces of gold as large as heads, which he himself said were worth more than a million florins." On the other hand, the entire village of Volknatshofen with all its inhabitants was sold for only two hundred florins. So extraordinary was then the disproportion between the amount of gold and silver used as ornament and that in use as coin!

This condition of the coin supply was a source of extreme difficulty in the prosecution of trade, the desire to trade, *to*

borrow merchandise, being far in excess of the supply of precious metals required as security for the merchandise so borrowed. It was in this deficient supply of the precious metals that paper money, in all its forms, had its origin.*

The increasing wealth led to an ever-increasing desire, an ever-increasing necessity of trade. There was a constantly increasing supply of surplus products, which the producers were anxious to exchange for the surplus products of other peoples and other climates. It was this growing desire to find new markets for products that, more than any other single inducement, led to the great geographical discoveries of that age. But those discoveries and the trading out of which they grew, were hampered, delayed, and diminished by the extremely limited supply of precious metals which the extravagant desire for ornament had left for the uses of commerce. There absolutely was not coin enough to carry on even ordinary trade, still less to carry on the unusual trade which grew out of the new opening of entire continents. Either the trade must be abandoned, or the owners of merchandise must accept other security for the loan of their goods than coin. First, as a rare exception, for slight amounts, to men of the most unbounded credit, and afterwards, occasionally for larger sums, and to men of good standing, owners of goods were willing to lend them without requiring coin security. A simple written acknowledgment from the borrower that he was indebted for goods to the amount of the coin security which he would otherwise have given, was then accepted as sufficient security in place of the coin. And this acknowledgment was the first beginning of paper money. Whatever form paper money afterwards assumed, in whatever disguises it appears, it never, as will soon appear, is or can be anything else but what we have just described it,—a written acknowledgment given as security for merchandise borrowed.

To the thoughtful reader who has followed us so far it must

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* The theory of money here enunciated furnishes at the same time the only explanation possible of the cause of *price*, a subject on which no political economist has, as yet, reached satisfactory conclusions. The price of every article is the amount of precious metal that a person is willing to give for the article in preference to holding the same amount of precious metal as ornament.

now be plain why this long introduction has been necessary. It is only by establishing clearly the nature of money that we can arrive at a clear understanding of the nature of paper money, or currency.

Money is a personal ornament temporarily pledged as security for merchandise borrowed.

Paper money is a written acknowledgment given as security for merchandise borrowed.

The general idea of paper money is apt to become confused by the belief that it has some necessary connection with banking. The connection of banks with paper money is entirely accidental, and has nothing whatever to do with the nature of paper money itself. When a borrower of merchandise found that his own written acknowledgment would not be accepted as security therefor, he procured, for a consideration, the guaranty of some other wealthier person to his written acknowledgment. This practice of guaranteeing other persons' written acknowledgments gradually grew into a regular business for wealthy individuals, principally bankers, or incorporated companies, and instead of guaranteeing other persons' acknowledgments, the banks gradually adopted the system of lending to these other persons their own (the banks') acknowledgments. So that the paper money issued by a bank in no essential respect differs from the original paper money, but is still a written acknowledgment given as security for merchandise borrowed.

If these views of the nature of money, of coin and of paper money, are correct, there are certain conclusions to be derived from them, which, if rightly deduced, must have the force of economic laws, and be at the same time of the utmost importance in their practical application.

I. As no coin can exist except as security for borrowed merchandise (since the precious metals, when not used as coin, are immediately converted back into ornament); as no paper money can exist except as a substitute for coin, in other words, as a security for borrowed merchandise; as no bank can issue paper money except as a substitute for the paper money of individuals, in other words, as a security for borrowed merchandise, — it follows that *the amount of paper money required by a nation is*

measured solely and exclusively by the amount of merchandise borrowed for which the lender of the merchandise may choose to exact paper money as security. In other words, the supply of acknowledgments for borrowed merchandise will always be equal to the merchandise borrowed, unless, by law or otherwise, people are prohibited from giving acknowledgments. The essential fact always is the borrowing of the merchandise. This alone is trade; by this alone is progress possible. The merchandise, the plough, the seed-corn that lies idle in the New York warehouse is dead and useless; but when lent to the Western farmer it becomes a waving field of grain. The timber, lying idle on the farm, is dead and useless, but when lent to the ship-builder becomes a noble vessel, that carries the grain where it is exchanged for tea and coffee and spices and salt. The essential fact, the inevitable fact, which always remains, is the borrowing of the merchandise. The giving an acknowledgment therefor is but an incident, a condition. But if that incident is not permitted to develop itself, if that condition is prevented from being fulfilled, the essential fact itself is undone. To prohibit the giving of an acknowledgment for merchandise borrowed is to prohibit the *borrowing* itself. To prevent the issuing of paper money is to prevent trade.

The prevention, of course, is not absolute; for trade is itself so entirely absolute a necessity that it cannot be prevented. Means are still found to trade, but they are inconvenient substitutes. Practically, the deficient supply of paper money compels merchants to do a large amount of business by means of what is commonly called "credit"; that is, by lending their merchandise without any security whatever, virtually returning to the absurd and barbarous practices of the Mpongive and Shekiani negroes on the Gaboon. If it were not for the absurd restrictions on the issue of paper money, there would be no need whatever for this injurious, hazardous, wasteful, demoralizing system of commercial credits.

II. *The amount of paper money required by a nation is constantly fluctuating*, and fluctuates precisely in inverse ratio to the fluctuations in the two principal causes which are generally supposed to regulate it. The amount of paper money

required depends — in this country especially — mainly upon the crops. Contrary to the general belief, *good crops call for less money than bad crops*, because bad crops make high prices, and high prices swell the amounts, in dollars and cents, of the daily business transactions of the country; good crops make low prices, small nominal transactions, and less paper money.

Next to the crops, — leaving aside wars, pestilence, etc. — the most powerful cause in influencing the amount of paper money required is the amount of the precious metals in use as coin. A large amount of trade is still done everywhere for coin. *The more coin there is in existence or in use* (which is practically always the same thing), *the less paper money is required to be substituted for it. The less coin there is in existence or in use, the more paper money is required to be substituted for it.* Nothing could show more clearly than this the utter fallacy of the theory, that the issues of paper money must or can be regulated by the amount of coin reserve held by banks, over which they have no control.

Very little attention has as yet been paid to the extraordinary changes produced by the conversion of coin into ornament, or the corresponding increased consumption of bullion for ornament and diminished supply thus left for coinage. Only very imperfect statistics on this subject are in existence, but they are so extraordinary in their teachings, that it is scarcely too much to say that the great money panics of the last sixty years have been, if not actually produced, certainly largely influenced, by the amount of the precious metals converted into ornament. We have already given the authority of Jacob and McCulloch in support of the assertion that by far the larger portion of the precious metals exists in the shape of ornament; we can now adduce the English revenue returns to show the nature of the fluctuations in the annual additions to the stock of ornament. These returns are, in the nature of things, highly imperfect, but are too striking to be disregarded. They show, in the first place, that throughout the Napoleonic wars the annual consumption of gold and silver for ornament steadily increased, owing undoubtedly to the great wealth accumulated by army contractors, etc., increasing nearly sixty

per cent from 1800 to 1810, and falling off again after the peace. The years from 1815 to 1825 show no material change, but in 1824 and 1825 England was visited by the great Mexican and South American mining excitement, by which many fools and rogues grew suddenly rich, or at least thought they did, and the consumption of gold and silver rose over sixty per cent above what it had been in 1820, and to nearly double that of 1800. It must be remembered that during this time the total gold and silver production of the world was very small. In December, 1825, occurred the great "December panic," probably the severest England has ever known, during which nothing but the accidental discovery of a box of unused one-pound notes saved the Bank of England from total collapse. From that year the consumption steadily declined, until in 1831 it was less than one half that of 1825, and had fallen below even that of 1800. From 1831 to 1836 a steady rise again took place, until in the latter year the consumption had risen over fifty per cent above that of 1831, and in 1837 the financial world was once more convulsed. From that year to 1843 is another period of steady decline, the latter year falling almost as low as 1831. Then follows another rise to 1846, showing an increase of nearly thirty per cent, followed by the great crisis of 1847, and a decline in the gold consumption of 1848 far below that even of 1800.* These figures show conclusively that the supply of gold of which banks can obtain control — apart even from the annual production — is influenced by causes utterly beyond their reach and beyond the reach of legislation. The object of paper money is to neutralize these causes, and to supply the place of coin withdrawn, not to be withdrawn with it, nor to intensify the public need by taking away the substitute at the very time that the real thing is being taken away. In this view it is impossible to imagine a greater folly than to attempt to regulate the supply of paper money by the supply of coin. The supply of paper money can be regulated solely and exclusively by the wants of trade. If legislation will refrain from interfering, no one will issue one dollar of paper money that is not wanted, because no one will give an acknowledgment of borrowed merchandise unless he has actually borrowed it.

* There are no later figures accessible.

III. *There should be no legal restriction on the amount of paper money issued.* — The practical objections to an unlimited paper currency are only two. One, the doubtful safety of the notes, will be considered further on; the other, their supposed influence on prices, is a delusion so often refuted that it seems unnecessary to discuss it at great length. If our view of the nature of paper money is correct, — that it is not, and never can be, anything but an acknowledgment of merchandise borrowed, which borrowing of merchandise *will* and *does* proceed in spite of every difficulty and hindrance, so that the refusal of the permission to issue paper money is simply a denial of the right to give an acknowledgment for the merchandise borrowed, — it is utterly impossible to conceive how restoring the right to give that acknowledgment can even remotely affect the price of the merchandise. All the unlimited issues of paper money that the world has yet seen have been made in times of war and revolution, when property was being rapidly destroyed and wasted, when property was being *taken by force*, *not borrowed*, and when the possible doubt of the return of the property taken or borrowed rapidly grew into a certainty that it *could not* possibly be returned. Such issues of paper money have been accompanied by, and have even caused, great and violent fluctuations in the prices of merchandise. But though ordinarily called paper money, these issues were in no true sense of the word paper money; the property which they acknowledged was not *borrowed*, it was *taken* by force, either actually, by levy, or more insidiously, by making the notes legal tender. It is evident that any advance in price resulting from such issues of so-called paper money has no application to real paper money, which is, of course, only given as an acknowledgment of *merchandise borrowed with the consent of the lender*. Until owners of merchandise lend their merchandise merely for the sake of lending it, and borrowers borrow merely for the sake of borrowing, it is impossible to conceive how the permission to acknowledge the borrowing can lead to one single additional act of borrowing. And if the permission to issue paper money cannot increase the number or amount of transactions, how can it possibly increase the price of the merchandise?

IV. *A paper money redeemable in coin is nonsense, is an impossibility.* — As all the precious metals in existence are constantly in active demand for ornament, and as all the coin in existence is constantly in active use in trade (otherwise it would immediately be converted back into ornament, a process which always takes place largely, for example, during a suspension of specie payments); and as all the coin in use is sufficient only to carry on the very smallest part of the trade of a country, and as paper money had to be created to take the place of coin that did not exist, where, in the name of logic, is the coin to come from to redeem the paper money? It should not need a reference to facts to prove that paper money cannot be, as it is called, redeemed. Paper money, though nominally reading, "I promise to pay," etc., *dollars and cents*, is nevertheless, if we have rightly described it, no promise to pay money at all. Its real meaning is, I owe this man as much merchandise as so many gold dollars and cents will buy. To demand the gold dollars is virtually a perversion of the contract, sanctioned by law and enforced by ignorance and selfish greed. But the facts show more clearly than anything else that paper money cannot be redeemed. There is not in the world gold enough to redeem the paper money, even if the whole of the gold were not at all times wanted for other and better purposes. As long as no one wants to redeem paper money it can always be redeemed. As soon as any one wants to redeem paper money, redemption becomes either absolutely impossible or else is accomplished only at the expense of universal injustice and national misery. The history of all the great banks that the world has known shows that as soon as redemption in coin is demanded it becomes impossible. Paper money redeemable in coin is one of the delusions of the past, like the squaring of the circle or the philosopher's stone. The sooner it is abandoned the better for all peoples.

V. *There is no such thing as redeeming paper money. Paper money is cancelled, not redeemed.* — The Western merchant who comes to New York in the spring to buy ploughs and harnesses to sell to Western farmers knows that his individual acknowledgment will not be accepted by the New York manufacturers' agent as security. He goes to the bank of his

town, and there procures, for a consideration, and against security, the acknowledgments of that bank for the amount that he expects to buy in New York. The acknowledgments of the bank are acceptable to the New York dealer, and he sells the ploughs. So far it is clear that the New-Yorker holds the acknowledgments of the Western bank for the ploughs sold or loaned. Practically the New-Yorker does not retain those acknowledgments; he pays them into his own bank, or buys other ploughs with them, or spends them for his living. But wherever the acknowledgments (the Western bank-notes) go, they always are and remain simply the acknowledgments for the ploughs borrowed. Suppose, for simplicity's sake, the New-Yorker did retain those identical bank-bills in his safe, or in his bank (as he really does at all times retain some bank-bills); in the summer the farmers who bought the ploughs send in to the Western merchant their wheat; he in turn sends it to the New-Yorker, who thereupon hands him back his bank-notes, his acknowledgments for the ploughs; the Westerner returns the notes to his bank, and takes out the security he had left for them. Now, what becomes of those notes, those acknowledgments for ploughs borrowed in New York? They have virtually ceased to exist. The acknowledgment of an obligation has no existence the moment the obligation itself is complied with. The ploughs, or their equivalents, have been returned to the original lender, the transaction is closed, the acknowledgment has no meaning, is virtually cancelled. The notes themselves, it is true, the pieces of paper, are not destroyed. They lie safe in the vaults of the Western bank, where they are no more money than the anklets of the Mpongive trader on the Gaboon. They are to all intents and purposes cancelled; they become notes again only when issued again as acknowledgments of some fresh transaction.

This is really the true nature of the course which a bank-note takes, though in practice it is less simple. In practice the New-Yorker uses the notes to pay the manufacturer from whom he bought the ploughs, or to buy a new stock; the manufacturer pays it to the lumber-dealer and to the workmen he employs, and so on, until it gets into the hands of the grain-

dealer, who in due time takes it to the West and pays it to the farmer, who hands it over to the Western merchant, who finally pays it back into the bank. In the ordinary course of trade bank-notes are never redeemed in coin, but redeem themselves, as it were, by the transactions of trade, and are cancelled.

VI. *Redemption is required only to settle balances and to test the solvency of the issuers.* — If the New York seller of the ploughs, or the bank with whom he deposited the Western notes, had felt doubtful about the security of these acknowledgments, they would have sent them to the Western bank, and demanded their redemption; *not otherwise*, because as long as the Western merchant's engagement remains unfulfilled, as long as he has not sent the grain of the West to the East in actual payment of his ploughs, the notes are required at the East to represent that engagement, and they are more desirable for the time than any other property, provided there is no doubt of their safety. But should a doubt as to the latter arise, they would then be sent for "redemption." Supposing, then, the Western bank said, "I gave these notes in place of the notes or acknowledgments of the man to whom you sold your ploughs; if you do not wish my acknowledgments, take his"; of course this would not suit the New York banker. His answer would be, "I need something that will be acceptable everywhere as an acknowledgment; the Western merchant's acknowledgment may be good enough, but no one will take it from me in payment of debts"; and of course he would be right. The only reason for which redemption can be desired is fear for safety. The only redemption which can be required is redemption with some other acknowledgment more safe than that of the issuer. We have already seen that redemption in coin is an impossibility. What other redemption is possible? Evidently only that which, in a very imperfect, half-developed form, exists now: redemption in securities of the United States.

VII. *The only redemption practicable is redemption in United States securities.* — Virtually, this redemption already exists. The notes of National Banks are secured by a deposit in the Treasury Department of a corresponding amount of United States Bonds, which are sold for the benefit of the note-holders

in case of the failure of the bank. But between the bill-holder and this redemption in bonds intervenes a cumbrous and senseless redemption in something else. The National Bank Act was really one of the first steps toward the emancipation of the world from the barbarous specie redemption. But it was only an unconscious step in that direction, for it sought to perpetuate the very evil which it is destined ultimately to cure. It provided that the notes of the banks should be redeemable in greenbacks, repeating precisely the exploded folly of coin redemption, first furnishing a substitute to take the place of the insufficient original, and then demanding that the insufficient original shall be made still more insufficient by being kept on hand to redeem the substitute! If this intermediate redemption were removed, the national bank-notes would be far more nearly a true currency than they are now. If the national banks could at any time redeem their bonds from the Treasury by presenting a corresponding amount of any national bank-notes, the notes of the national bank would approach more nearly to a perfect paper money than any that has ever before existed.

VIII. *Redemption is prevented by making the bank currency free.* — We have seen that when the Western merchant sends his grain to the New York plough-dealer, and brings back the notes of the Western bank, these notes are virtually cancelled. But the notes themselves, the pieces of paper, are not destroyed. They lie in the vaults of the Western bank. *Now it is precisely as they lie there that they do all the mischief that paper money is ever capable of accomplishing.* While the New York plough-dealer held those notes in his safe, the Western merchant was paying the Western bank interest on them. As soon as he no longer absolutely requires them, he immediately returns them to the bank, in order to stop the interest he is paying. He receives back from the bank the security which he had given and his own acknowledgment which accompanied the security, and then destroys his own acknowledgment, which, like a paid note, has no longer any meaning. *He* destroys his acknowledgment, because its use cost him interest. *The bank* does *not* destroy or cancel *its* acknowledgments. Why? Because it receives them from the government *for nothing!* If the bank had to pay for its notes the same, or nearly the same

interest as the merchant does, it would immediately cancel them as soon as they ceased to earn more interest than they cost. But as the bank gets the notes for nothing, everything it earns with them is clear gain. While the notes lie in its vaults, they earn nothing. The temptation is irresistible to make them earn something. Every trick, scheme, and device is resorted to "to keep the notes out," that is, to induce somebody to enter into some transaction which will cause him to require the acknowledgment or notes of the bank in place of his own. Now, as by the foolish limitation of the law only certain amounts of notes can be issued, and as this amount is never sufficient to perform all the transactions which take place at busy seasons of the year, and as many transactions are thus rendered difficult and unprofitable at those times, owing to the impossibility of procuring the necessary acknowledgments for them, many persons who do not understand the nature of money and its origin think that those transactions which were unprofitable when "money was scarce" will become profitable when "money is easy," and are frequently, nay, constantly, tempted to enter into wild schemes and speculations, and all sorts of absurd combinations, as soon as they find it possible to procure the acknowledgments which they could not obtain when they were more urgently needed for the legitimate business of the country. This would, in itself, be a comparatively light evil. But in its consequences it is a grave one. These acknowledgments, once lent by the banks to speculative customers, can scarcely ever be recovered in time when they are wanted by the merchant to buy his ploughs. In this way the legitimate business of the country is deprived of even the limited amount of paper money permitted by law, when it most needs it, solely because that paper money, costing the bank nothing, is not cancelled, as it should have been, the moment its real duty has been performed, and as it would have been had it not been obtained by the bank free of cost. If paper money could at all times be obtained in sufficient quantities to enable trade to carry on its transactions by means of paper money, that is, to give paper acknowledgments for all merchandise borrowed, there never would be any temptation to enter into any transaction merely on account of the ease with

which the money could be obtained, and thus one of the greatest evils anticipated from an unlimited issue would, on the contrary, be actually corrected by it. If the banks did not get their currency for nothing they would not be tempted to lend it for fictitious schemes that ultimately involve everybody in loss, and deprive legitimate trade of its necessary instruments. If the banks, like the merchant, had to pay interest for the paper money which the government issues to them, they would themselves at all times be only too anxious to redeem it the moment they could not lend it at a better rate of interest than that which they pay the government for it. It is thus simply the fact that the banks obtain the currency for nothing, which at the very same time induces reckless speculation and violent fluctuations in the rate of interest, and prevents the notes from being redeemable when not required.

Paper money, or true currency, is an acknowledgment of indebtedness for merchandise borrowed. There should be no limit to every one's right to borrow as much merchandise as he pleases, and to give acknowledgments therefor. If his own acknowledgments are not acceptable as security, there should be no limit to the right of everybody else to give acknowledgments for him. If this is the business of banks, there should be no limit to *their* right to issue such acknowledgments, such paper money.

Redemption of paper money in some way is necessary for the settlement of balances, and as a test of the solvency of the issuers. Redemption in coin is impossible. The only redemption possible is a redemption in United States bonds, which must be simple, direct, accessible to all, and self-acting.

Self-acting redemption is obtainable only by making it the interest of the issuer to redeem. It can become his interest to do so only when the currency is a source of expense to himself, — when the issuer has himself to pay interest for it.

Self-acting redemption is an absolute cure for all speculation and reckless enterprise based upon cheap money, the same as an unlimited supply is an absolute cure for high rates of interest and currency panics.

If the entire United States debt were funded into a four per cent coin bond, there would be in round numbers two thousand millions of four per cent coin bonds in existence. Suppose,

then, it were settled by law, that every individual or corporation could, on application to any sub-treasurer of the United States, obtain all the greenbacks that he desired, in lots of ten thousand dollars, in exchange for these United States four per cent coin bonds, — receiving the par value of the bonds and the interest accrued at the time of depositing them, — and that every individual or corporation could in the same way receive any amount of United States four per cent coin bonds that he desired, against the deposit of greenbacks, paying for them the par value of the bonds and the interest accrued at the time of receiving them. Should we not then have a currency as nearly perfect as it is possible to make it, according to the views just given of what currency really is?

Such a currency would be practically unlimited; for as soon as money came to be worth more than four per cent in coin, every owner of bonds could obtain all the money he wanted at four per cent coin interest, with the certainty of getting back his bonds at par whenever he wanted them. Such a currency would be self-redeeming, for so soon as money should cease to be worth more than four per cent in coin the holders of the currency would immediately exchange it for bonds, with the certainty of getting back their currency at any moment they might want it.

Such a currency would materially reduce the interest charge upon the public debt. The very condition necessary to make it self-redeeming — that it should be costly to the owner — would constitute a source of large national revenue without creating fresh taxes of any kind. For, as long as the bonds were deposited with the Treasury as security for greenbacks, they would not, of course, bring the owner any income, — he would derive his income from the lending of the greenbacks, — and the Treasury would save the interest during the whole of this time. Nor would this gain to the Treasury involve a loss to any one. It simply causes the Treasury — or really the people — to derive the benefit of a saving which heretofore was entirely lost to the country by the idle hoarding and enforced uselessness of large amounts of capital, held for the delusive purposes of redemption, or unemployed from want of the necessary "money" facilities.

Such a currency, we believe, is the currency of the future.

JAS. B. HODGSKIN.

Art. V. — Luther, and the early German Struggles for Freedom.

Some months ago, much astonishment was created in Germany by a decree of the King of Prussia, issued from that saintly place, Baden-Baden, ordaining a commemoration of the anniversary of Luther's birthday by making it a "day of special prayer." The reason for such a commemoration was not very obvious. The wording of the decree only alluded in vague terms to the "great movements which at the present time agitate the religious life of nations and individuals, and which are pressing forward to a serious decision." Some thought they could detect in these words an allusion to the Œcumenical Council, which was then on the point of assembling. Others objected to this that it was scarcely likely that official notice would be thus taken by a Protestant government of the solemn farce which was to be enacted at Rome. To add to the mystery, a Berlin paper, influential at court, distinctly declared that this was not a time when Protestants ought to urge their differences with the Roman Church, but that both should combine against the common enemy.

The public were thus left in the dark as to the real meaning of King William's decree. An opportunity has, however, been given for defining more precisely, according to the results of modern inquiry, the position occupied by Luther in that gigantic struggle which is known as "The Reformation," about the original aim and scope of which so many misunderstandings prevail. The popular view of it is, that it was an exclusively religious movement, and to many the names of Luther and the German Reformation have merely a theological significance. As this, however, is a mistake, than which it would be impossible to commit a greater, I purpose, in this article, to point out the wider range which the German movement of the sixteenth century had. In doing so I shall be obliged, for the better understanding of it, to treat of some previous popular movements which aimed at a great national transformation.

In considering what is usually called the German Reformation Epoch, we must remember, in the first place, that it was, properly speaking, a time of national revolution in a threefold sense, — political, social, and religious. In Europe a custom long prevailed, though it is now visibly on the decline, of regarding the French Revolution as the starting-point of modern popular history. The principles of that Revolution of '89 and '92 no doubt agitate the European world to this day; but it was preceded by the American Revolution, with its noble declaration of the rights of man, whilst the English had carried out a glorious revolution in the seventeenth century. Many, however, are not aware that the English Revolution was preceded by a German Revolution, — or rather, by two successive movements of a revolutionary character in the fourteenth and sixteenth centuries. I allude to the *Eidgenossen* rising and the so-called *Bauern krieg*, or "War of the Peasants," which was involved in the general Reformation movement. As typical names, I may mention those of Stauffacher and Winkelried; of Konrad Besserer; of Hutten and Sickingen; of Luther, Melancthon, and Zwingli; of Wendel Hipler, Thomas Münzer, and Florian Geyer.

A word on the early German constitution will not be out of place here. In its earlier days, the German Empire was undoubtedly an indivisible Union; not a mere confederacy of sovereign states, but a real Union. It had provincial divisions, with the principle of autonomy very largely and irregularly developed in their component parts; but the principle of imperial unity was laid down clearly. A German king (or *kaiser*) stood at the head of a number of governors, or counts of the shire, who were removable at will. He himself was not a ruler by the law of succession, not a monarch by "right divine"; but he obtained his position by election, and could be removed by judicial trial. In accordance with the social condition of the time, political power was mainly vested in the aristocracy, though a substratum of ancient republican liberties was yet visible here and there. The king, or kaiser, consequently might be looked upon as the crowned foreman of the aristocracy, which he, on his part, was bound by the Constitution to hold in check.

The arrangement was not a very philosophical one, but in a rough way it served, for a while, to maintain national union, and to protect a few popular liberties. The German king, or kaiser, being a ruler by contract, had to swear fidelity to the laws of the land before entering upon his office. If he broke the Constitution, the Estates of the Realm had the right to oppose him by force of arms, and to bring him before a court of justice. Even the penalty of death could be inflicted upon him, but only after he had been deposed from his office. This is stated in unmistakable terms in the ancient codes of law, the "Sachsenspiegel" and the "Schwabenspiegel." Thus in the text of the latter we find: "*Dem Künige mac nieman an den lip gesprechen, im werde dar riche ê widerteilet mit der fürsten urteile.*" This provision is the more remarkable, because in our earliest German law the penalty of death did not exist for any misdeed, except in the case of a prince or duke who had committed a crime against the rights of the Commonwealth. That was the compromise which the Germans made between two contending principles of criminal jurisprudence.

The German King or Emperor then did not hold his sceptre "by the grace of God." If I may make a comparison which, like all comparisons, limps a little, I should say that Germany at first was a Commonwealth, with a rudimentary substratum of republican liberties, with aristocratic powers superposed, and with a crowned President at the head, — the latter elected for life, but deposable, by his peers, for misdemeanors. It was, as I have said, a somewhat unphilosophical Constitution; but there are, even now, constitutions glorying in a labyrinth of checks and counter-checks, and people living under them who are so accustomed to the oddity of such systems that they consider them perfect, and strive to extend them to other lands.

The central authority of the German Empire, then, was the *König*, or *Kaiser*, as he was called, after he had been consecrated at Rome. The centrifugal force was found in the "princes," * or provincial governors, who constantly aspired to sovereignty, and endeavored to set up particular dynasties, though this idea was at first utterly repugnant to the German mind. It was

* *Fürsten;* literally, "first," — overseers, prefects: not hereditary sovereigns.

only by a gradual usurpation of power, chiefly accomplished by acts of treachery in the hour of common danger, that the "princes" succeeded first in undermining, and then virtually in overthrowing, the central authority. Such is the rise and origin of all the ruling houses of Germany. Such was the significance of the contest between the Ghibellines and the Guelphs. When a kaiser, in his ambition, went to gather laurels in sunny southern climes, the provincial governors or dukes of the Empire made use of the difficulties into which he not infrequently fell to extort from him the grant of sovereign attributes, which afterwards were used against national sovereignty itself.

The Imperial power thus fell into decay. As a means of resisting the process of disintegration, some of the German monarchs made feeble efforts to convert the elective German Empire into an hereditary one. Thus, Henry VI., in the twelfth century, offered to the various dukes a right of succession in their own government; in exchange, he demanded an Imperial right of succession for his own offspring. The plan failed. Many dukes said that they already practically possessed what was offered to them. The Pope was against it, because he wanted to keep a footing in Germany through the priestly element in the Electorates. Lastly, the cities looked coldly upon the scheme, because the republican spirit was coming up strongly among them. The struggle thereafter lay between the cities, which aimed at a reconstruction of Germany in the republican sense, and the ducal families, that strove to annihilate at once imperial power and civic freedom. Here I come to the first great revolutionary movement, which arose out of a League of Towns, and is known under the name of the *Eidgenossen*, or men banded together by oath for the overthrow of tyranny.

As early as the beginning of the thirteenth century we find a remarkable agitation going on in many German towns. Until then, their government had been mainly vested in patrician families, who were generally prevented by imperial charter from taking part in trade and commerce, being held equal to the Ritter class, or nobility. This state of things kept down the handicraftsmen, or middle and working classes, in the

matter of political privileges; but it allowed them to obtain importance through industry, and in time they demanded a Reform. The *Geschlechter*, or patrician families, looked, however, with such disfavor upon that plebeian craving, that at Brunswick, at Magdeburg, and in many other places, they repeatedly had the masters of the trade-guilds decapitated or burnt, — this being the conservative method in those days of supporting respectability against popular claims. "The Respectability" — *die Ehrbarkeit* — was in fact the distinct technical term for the noble government of those patricians.

In the long run, however, the patricians had to submit to see the suffrage enlarged, — "degraded," as we have heard it styled by the Tories in England during the late Reform agitation. In not a few instances, in the course of the fourteenth century, the middle and plebeian classes of Germany obtained the control of the town constitutions by regular insurrection, and established a government which gave them equality before the law. It would be interesting to have the history of all those early town revolutions fully written. But perhaps we must wait for that until the Germany of our days has worked her institutions into greater sympathy with the principle which was the mainspring of those early aspirations.

Generally the victory of the plebeians over the patricians had the effect of bringing about an enlargement of a town, and the extension of its walls. Owing to the widening of the basis of suffrage, more men became interested in the defence of the country, and they took part in it heartily. The sturdy burghers were now all trained in the use of arms. Their guilds were arranged with a view to military defence, and their towns were built with a strategic purpose. When one looks about him in those ancient cities there rises before one's vision the picture of a time when industrious citizens, hard pressed by rapacious knights, had to think out a system, not only of city walls, but, in case of the worst, also of street defence. This condemned them to a rather confined life, as described in Goethe's Faust, when the pent-up citizens issue forth "from the cramping narrowness of streets," out into the fragrant country, with its brooks and meadows and mountain air. With them handicraft and agriculture went

often together. Nor was the sense of artistic beauty undeveloped among them. I need not speak here of Nuremberg, Augsburg, Regensburg, Strasburg, Cologne ; of the towering domes reared there, and the encouragement given to great masters in architecture and painting ; of the combined civic spirit and artistic inclinations visible in the guild and trade halls, as well as in private dwellings. Nor need I describe how, in the place of the *minnesänger*, or chivalrous poets of love, a school of civic *meistersänger* arose, whose lyre was somewhat more harshly tuned, indeed, but who yet proved that Poetry had a hold upon their hearts. It was an age in which the pursuit of wealth was made subservient to higher aims. And however much we may be tempted to look down upon that bygone generation of men, after centuries of advancing civilization they may still serve us in some ways as an example.

Between the citizens of those towns and the ducal families the contest had at last to be fought out. The latter sapped national union at its basis. The former, battling for popular freedom, seemed destined to restore it under a new garb. A general League of Cities presented itself as a practical means for obtaining that desirable end.

The first League, or *Eidgenossenschaft* as it called itself, of which we find a trace in ancient records, was formed between the towns of Mayence, Worms, Spires, Frankfort, and several others. It soon spread to Cologne and Aachen in the north, to Colmar, Basle, and Zurich in the south, which were then all German towns. The League kept up a strong establishment of civic militia, both foot and horse, and a considerable array of war-ships on the Rhine and the Moselle. Gradually, as it grew, it enlarged its field of political and social reconstruction. Whereas they occupied themselves formerly only with town interests, the citizens now began to promote the emancipation of the peasantry from serfdom. That serfs were received into the freedom of the towns was the standing complaint of the nobles, — an "underground railway," if I may use such an anachronism, being even then established in some cases by venturesome burghers for the benefit of the white slave.

Even in religious matters the free towns were often imbued

with the same spirit which later we see bursting out in the Reformation. On this point, too, much misconception prevails. The general notion is, that "you cannot expect to meet with the Reformation spirit in the epoch of the Crusades." Yet the very chronicles of the Abbot of Ursperg—who as a priest is surely a witness whom we need not suspect—declare in so many words that, under Konrad III., the Crusaders were laughed at everywhere, as they marched through the different towns of Germany, nearly the whole German people (*omnis pene populus teutonicus*) believing them possessed by an unheard-of folly (*quasi inaudita stultitia delirantes.*) It was at that time also that the fables of Reynard the Fox and of Isegrim — those biting satires against kingcraft, aristocracy, and priesthood — began to influence powerfully the popular mind. In the opinion of Gervinus the various works of the "Reynard" kind paved the way for the Reformation; and when we remember that many of them proceeded from the pens of monks, we may conclude that the Romish Church had not a few clever enemies within its own precincts. Again, the violent anti-Popish poems of Walther von der Vogelweide, and the similar passages in the *Freidank*, all show that the Reformation tendency was pretty well spread throughout all classes of Germany fully three hundred years before Hutten and Luther. Had there been an emperor willing to use these strong anti-clerical forces, he might have achieved a success for the nation and for himself; but even free-thinking emperors, like Frederick II., were afraid of wounding the priestly element too deeply. In every respect, therefore, the towns remained the sole representatives of the new spirit.

Now when the popular party, by a series of class insurrections, had gained the upper hand in a great number of cities, the moment was at hand for a final uprising of the United *Eidgenossen* along the Rhine and the Danube, as well as in the Alpine districts, which to-day are called Switzerland, and which alone have preserved the *Eidgenossen* name, because to them the fortune of battle was more favorable than to other parts of the fatherland. The *Eidgenossen*, however, did not form the only republican force then in existence in Germany. Whilst their influence spread in the west and the south, the

Hansa, another league of free cities, grew up in the north. Its tendency, however, was of a less pronounced democratic character. The great traders — the *Kaufherren* — held sway in it; and their government partook largely of the patrician character. Still, in its basis, the Hansa was republican, and its influence had a wide range. In its best period that League extended along the shores of the German Ocean and the Baltic; the easternmost associate of the Hanseates being Novgorod, then a free Russian town, governed by the Lübeck law. The Hansa, in those days, constituted the great naval power of the north, and German admirals swept the sea with their squadrons. They fought the Scandinavian powers, and occasionally even disposed of a crown. It was not, however, exclusively a maritime league. It included inland towns even in Central Germany and along the Rhine; for the highway of trade from India to the north lay, in those days, through Germany, and this trade formed a great link between the industrial south and the trading north.

The Eidgenossen and the Hansa might have wrought a great transformation of Germany. To that end their efforts indeed tended; but whilst the Eidgenossen of Upper Alemannia were triumphant in the ever-memorable battles of Morgarten, Sempach, and Näfels, the fortune of war, after some successes, turned against the other members of that League. It was a nobleman, made a traitor by a bribe of one thousand florins, who brought about the loss of the battle of Döffingen. That battle proved a turning-point in German history. It was, if I may say so, the Hastings of mediæval German Democracy.

"Had the citizens," says Wirth, "obtained the victory also there, the Swiss Constitution would have been spread over all Southern Germany; and later, it would equally have extended over all the lower countries through the action of the Hanseatic League. As it was, civic freedom fell; the last obstacles to unlimited princely sovereignty were removed; and, together with Liberty, Union vanished. This was a terrible national misfortune." Again he says: "The defeat of the citizen warriors at Döffingen was decisive in this sense, that Germany now entered upon the road of *becoming a medley of monarchies claiming separate existence*. . . . . Our wretched

condition at home, the loss of our power abroad, sprang from this source. The genius of the Fatherland covered its face in sorrow when the body of Konrad Besserer (the heroic burgomaster of Ulm) was enshrouded in the banner of freedom. The Republican movement succeeded only in what now is Switzerland. Separation from Germany the Swiss did not, at first, intend, and they remained true to the national bond as long as possible. Their final withdrawal from all connection with the General Empire was not settled until 1648.

I now come to the second great revolutionary movement of Germany, which is known as the "Reformation" and the "War of the Peasants."

Some, as I have said, take an exclusively theological view of the Reformation; but there is a larger and more truthful view, according to which the Reformation movement was originally a very complex one, proceeding from tendencies in both Church and State towards religious, political, and social progress, — the two latter elements even predominating at one time under cover of the former. In the end, the political and social Reformation, which was contemporary with, and at first largely involved in, the movement of religious emancipation, miscarried, and the Church Reformation alone triumphed. It is nevertheless true that the two or three movements, as will presently be shown, cannot be separated from each other with justice. The very writings of Luther are full of this threefold character of the Reformation. No wonder that, under the late King of Prussia, an extract from Luther's works was actually seized by the police authorities, and its circulation prohibited.

There may be distinguished, in the Reformation, a religious, a humanistic, a national or patriotic, and a democratic element. If we bear this in mind, the Luther monument at Worms, which was uncovered in 1868 in the presence of the King of Prussia, will be seen to give but a one-sided and imperfect view of that troublous but hopeful period of German history. Planned by Rietschel, the masterly delineator of the Goethe and Schiller group at Weimar, the monument at Worms is a vast and powerful conception. Yet, with all its variety of figures, — including, as it does, the statues of Luther's pre-

decessors, Wycliffe, Waldo, Savonarola, and Huss, — it lacks completeness. We see Frederick, called the Wise, Elector of Saxony, and Philip, called the Generous, Landgrave of Hesse, standing in front; Melancthon and Reuchlin behind. But who that knows the history of the Reformation is not aware that one of those princes acted the part of a trimmer, whilst the other proved a deadly enemy to the popular claims which were then brought forward on the strength of what the peasantry called the "true reading of the Gospel"? And if Melancthon and Reuchlin have their proper place in the Reformation group of the monument at Worms, why are the great humanists, Celtes, Hesse, Bebel, Pirkheimer, and even Erasmus, altogether left out? They might, at least, have been indicated by medallions, as Ulrich von Hutten and Franz von Sickingen were on the upper bronze cube; the political aspect of the Reformation having, by this latter device, been suggested in some slight degree. But then, if Hutten and Sickingen found a place, however small in the design, why was none given to those prominent leaders on the popular side, who, fired with a vision of Puritan and independent sentiment, sturdily did battle, though with ill-success, for the principles of a combined religious, political, and social reformation?

Some might think that their misfortune shuts them out from commemoration. If that were the case, neither the mail-clad man of letters who died as an exile at Ufnau, nor that adventurous knight who saw, wounded and dying, the enemy carry by storm his castle, could have been represented on the monument; nor could a place have been found for the "sorrowing Magdeburg," — the melancholy symbol of an heroic but defeated town. Nor is the plea that Luther never had anything to do with the popular movement at large valid. In the beginning, on the contrary, he readily recognized the justice of some of its demands; and though afterwards he joined the other side, he did not cease to denounce what, in his blunt language, he openly called the "mad tyranny" of princes and lords.

The original aims of the Reformation were manifold. A national Church was to be established. Landed property, held in mortmain to an incredible extent, was to be recon-

verted into freehold. The fetters were to be struck from an enslaved agricultural class. The political representation of the people was to be made a reality, the German Parliament, or *Reichstag*, being then a mere house of princes and lords, secular and spiritual, with a sprinkling of the representatives of cities. Lastly, the most energetic section of the reformers strove for the abolition of all petty dynastic powers, some of which were found under the Imperial, some under the Republican flag. Many learned men, vast numbers of the middle class, the mass of the peasantry, many priests, and even the better section of the aristocracy were in the movement, as moderate reformers, or as levelling Imperialists, or as adherents of the principle of a popular Commonwealth. Hutten, in spite of his trenchant style, represented among the upper classes — whom he wished to lead on to a national policy in spite of themselves — the type of a moderate reformer in Church and State. His friend Sickingen had the material in him for an aristocratic Lord Protector of Germany. Probably he had something like the ancient Swedish and Polish Constitution in view. Some of the chiefs of the peasantry, such as Hipler and Florian Geyer, who had formerly occupied higher stations in life, were Democratic statesmen of considerable ability. Thomas Münzer, who in religion preached, under mystic forms, a sort of Deism, was in political creed a revolutionary Socialist. If Martin Luther, the ex-monk, that gigantic wrestler, had joined the political reformers, he would have given a still grander impress to our history, and the double or triple aim of the national cause would, probably, have been attained.

All Germany, in fact, took part in that movement. It was not a sectional one, — not one opposing south to north, but the different parties were to be found everywhere. Countries to-day the most Catholic were then full of the Evangelical and Reformation spirit. There was Reformation even in the Tyrol, which fire and the sword were required to put down. In such an age the Imperial interest had a great opportunity. Charles V. might have done what Henry VIII. of England did, and have thereby stopped the process of national disintegration. But that brooding monarch, who was only half German (he could not even converse properly in German, while the Spaniards said he

spoke their own tongue imperfectly), and whose mind was cast in the narrow mould of bigotry, missed one of the greatest of historical opportunities. In vain Hutten admonished, prayed, entreated him to come forward as the champion of the Reformation. There is a "Wail" (*Klagelied*) by Hutten extant, touching in its earnest simplicity, in which he says that he could willingly die in poverty and misery, if the king (Charles V.) would let the Imperial eagles fly against Popery, and place himself truly at the head of all "free Germans." To the "proud nobility," to the "valiant towns," Hutten addresses his admonition, that they "should take pity on the Fatherland" and "battle for liberty." It is impossible, I fear, to render in English the quaint strength of the original text. It is enough to say that the patriotic knight, who was not wanting in pride, prostrated himself before the monarch, in order to induce him to adopt a large Reformation policy, but without avail. Charles remained deaf to these urgent appeals.

There was a general deafness then among rulers. Luther, who understood the political signs better, foresaw the coming of the storm several years before its outbreak. Already in 1522 he predicted a general revolt in German lands, — "*eine grosse Empörung in deutschen Landen.*" Personally, with all his stormy energy, and with all the prejudices that clove to him from his monkish training, he was of a kindly disposition, well disposed to the people's welfare, no flatterer of princes, honest and outspoken, and of a genial temper. He clearly saw and denounced the tyranny with which the nation was burdened, through the misrule of that superior aristocracy which had gradually risen into a position almost sovereign. He said in his unparliamentary way, that "princes had mostly been the greatest blockheads and the wickedest rascals"! He called them "God's jailers and hangmen," who "had hearts of stone and heads of brass."

So late as a year before the outbreak of the great *Bauern krieg* Luther thus expressed himself: "The laboring man, tried beyond all endurance, overwhelmed with intolerable burdens, will not, and cannot, any longer tamely submit, and he has doubtless good reasons for striking with the flail and the club, as John Pitchfork threatens to do. . . . . *I am delighted so*

far to see the tyrants trembling." In the same "Sincere Exhortation," whilst warning against the spirit of rebellion, he admonished the Imperial government and the nobles to put their hand to the work of doing away with grievances, as "that which is done by the regular powers cannot be looked upon as sedition."

I think in this, as in other writings of the same time, a state of doubt may be traced in Luther's mind. He saw the greatness of the coming movement; he had sympathy with it, yet he could not place himself decidedly on the one side or the other. Still he spoke out strongly against the government and against privileged castes. Even when the rising of the peasants and their allies in the towns had actually begun he wrote: "For such insurrection we have to thank you, ye princes and lords, ye purblind bishops and mad monks! . . . . You fleece and skin the people until they can bear it no longer. But the sword is now at your throat! . . . . You still think you are in the saddle; you will be lifted from it! . . . . If *these* peasants cannot do it, others will. And though ye beat them all, they yet are unbeaten. God will raise up new ones, for he means to destroy you, and destroy you he will! It is not peasants that rise against you, my dear lords, it is God himself who will punish your tyrannic madness!" He then continued: "See you not that if I desired revenge, I should only have to stand silently by, laughing in my sleeve, and look on at the peasants carrying out their work? I might even, by making common cause with them, make still deeper your wounds. God ever preserve me, as now, from such thoughts. . . . . Dear lords, in the name of God! retire before the anger of God, which you see let loose against you! . . . . Cease your exactions, cease your cruel despotism! . . . . Use gentle means, lest the spark now lighted, extending itself gradually all round, and catching at point after point, should produce throughout Germany a conflagration which nothing can extinguish. You will lose nothing by gentleness, and even though you were to lose some trifling matter, the blessings of peace would make it up to you a hundred-fold. Resort to war, and you may be all of you swallowed up, body and goods. The peasantry have drawn up *Twelve Articles*, some of which

contain demands so obviously just, that the mere circumstance of their requiring to be brought forward dishonors you before God and man. I myself have many articles, even still more important ones, perhaps, that I might present against you in reference to the government of Germany, such as I drew up in my book addressed to the German nobility. But my words passed unheeded by you like the wind."

On the different grievances of the insurgent population Luther said in the same "Exhortation to Peace," addressed to princes and lords: "As to the first article, you cannot refuse them the free election of their pastors. They desire that these pastors should preach the gospel to them. Now authority must not and cannot interpose any prohibition of this, seeing that of right it should permit each man to teach and to believe that which to him seems good and fitting, whether it be gospel or whether it be false. All that authority is entitled to prohibit is the preaching up of disorder and revolt. Again, the articles which have reference to the material condition and welfare of the peasants — to the fines, inheritance, imposts, the exaction of harsh feudal services, and so forth — are equally founded in justice; for government was not instituted for its own ends, nor to make use of the persons subject to it for the accomplishment of its own caprices and evil passions, but for the interests and the advantage of the people. Now the people have become fully impressed with this fact, and will no longer tolerate your shameful extortions. Of what benefit were it to a peasant that his field should produce as many florins as it does grains of corn, if his aristocratic master may despoil him of the produce, and lavish, like dirt, the money he has thus derived from his vassal, in fine clothes, fine castles, fine eating and drinking?"

It will be seen from these few quotations, which might be multiplied a hundred-fold, that Luther knew what were the sufferings of the down-trodden people; that he wished for a reformation of the government of Germany as well as for that of the Church; that he considered the rising against lordly and princely misrule a formidable one, which, if he only "stood silently by, laughing in his sleeve, and looking on at

the peasants carrying out their work," might have become uncontrollable.

What, then, would have occurred, had he thrown his influence persistently on the people's side? At one time he had the nation at his command. His power of speech which wells up in the slightest talk, such as has been preserved in the *Tischreden*, his combative energy, and his force of persuasion were extraordinary. Unfortunately, when the contest grew hottest, he went over to the side of the governing classes, and became the adversary of the political and social parts of the Reformation programme. He stood aghast at the loudness and many-tongued confusion of the popular aspirations. The theologian came up too strongly in him. A parallel to this conduct may be found in the fact that Luther, after having been, as he said himself, a "rabid Papist," *ein rasender, unsinniger Papist, ersoffen in des Pabstes Lehre*, had once passed through a very free-thinking stage; to such an extent, indeed, that he stopped himself by saying that he must "strangle his reason" in order to return to his former belief! In this manner, certainly, he strangled his political reason. He now attacked every Reformation idea not directly connected with Church affairs. He called all armed resistance to galling oppression the "work of Satan." He wrote denunciations against the more advanced men; for instance, his "Letter to the Princes in Saxony against the Revolutionary Spirit." He denounced bitterly all the *Rumpelgeister* and *Schwärmer*. He put his hope in some prince that would carry through his Church cause. He preached the doctrine that all government was by "right divine," which was until then a doctrine not to be found in Germany, where all princely power was held to rest on a covenant with the people. The new doctrine, it need not be said, was very acceptable to those princes who, under the mask of religion, wished to establish separate sovereignties, independent of Pope and Kaiser alike.

Luther now wrote: "Christians must suffer torture! They must suffer wrong; suffer, suffer! They must bear the cross, the cross! That is a Christian's right; he has no other!" He spoke of Christians as flocks of sheep, not to be tended, but to be slaughtered, one after the other. "*Nicht Weideschaf*

— *Schlachtschaf! nur so hin; eins nach dem anderen!*" That was not the spirit of the humanists, or liberals, much less of the ardent Democratic reformers of his time. He even declared himself for the continuance of serfdom! He said there must be serfs because Abraham had had serfs! Such doctrines jarred on the popular ear; and the great champion of the Church Reformation was sometimes called a lackey of monarchs, — wrongly, certainly, for of the lackey spirit there was nothing in that unbending man.

But of fierceness there was enough in him when once he went astray, and he, the poor miner's son, went cruelly astray in that Peasant affair. This was the advice he gave as to the manner in which the insurgents should be dealt with: "Let them be destroyed, strangled, stabbed, secretly or publicly, by whosoever is able to do it, even as a mad dog is killed right away. I call upon you, dear lords, come hither to the rescue! strike! Ay, strike, strangle, all ye that can lift a hand! If thou losest thy life in the affray, a blessing upon thee, — thou art saved thereby! A more blissful death thou canst not have! . . . . Let the guns be turned upon them; or else their wickedness will grow a thousand-fold greater!"

The political and social insurrection against which Luther raised such a cry was not a mere servile revolt, but an attempt at changing radically the German Constitution. It was preceded by conspiracies, known as the *Bundschuh* and the *Arme Konrad*. The "bundschuh," or laced shoe, was worn by the people; high boots, by the nobles. "Poor Konrad" the peasants were nicknamed from the frequency of that name among them. The first demands of the peasants, embodied in their *Twelve Articles*, were moderate enough. They asked for a reformation of the Church, a diminution of tithes, the abolition of serfdom, of the oppressive game laws, etc. Soon they went farther. In some of the secret associations the password by which the members knew each other was this. One asked, "What do you think in the main?" The other had to answer, "Priests, nobles, and princes are the people's bane!" I may observe here that the German character, as a rule, lends itself with great difficulty to the work of conspirators; but in times of great public danger secret associations have sprung up even

among the Germans, from the time of Hermann, the Cheruscan leader, who threw off the Roman yoke, down to the *Tugendbund*, which was formed during the intolerable Napoleonic domination, and to the many other secret societies which at the beginning of this century endeavored to unite free-minded men in opposition to the reactionary profligacy of the German princes.

There were three political camps in Luther's time: the Catholic or reactionary one; the camp of moderate Liberalism; and that of Democracy. In the peasants' insurrection two currents can be distinguished, — one directed mainly to the suppression of harsh feudal customs; the other to the formation of a Republican Commonwealth. The papers of the "Constitutional Committee," which the insurgents established at Heilbronn, are still extant; and they contain undeniable proofs of the sagacity of some of the leaders. When a popular rising is defeated a mass of calumny is often the only monument which the victors raise over the grave of the vanquished; and it is the merit of Zimmermann to have been the first to trace from those original documents the true character of the insurrection. He chose the motto of his work from the *Antigone* of Sophocles, — "I dare to raise a tomb to my dearly beloved brother!"

The rising extended over all Southern Germany, from the Rhine into Austria; it reached up also towards the north through the insurrection in Thuringia. In the latter country were the head-quarters of Münzer, the revolutionary preacher, — a Savonarola and Rienzi combined. The main army of the insurgents in the south was not badly equipped. It possessed ordnance and three thousand guns, — a good armament for that time. But the Thuringian insurgents were ill assorted and badly armed. The great defect of the movement was its want of a central direction, a scattered agricultural population being always difficult to organize for action. It is true, as the peasantry rose, they were joined by a number of towns, by noblemen, even by several princes, who either willingly entered the League, or were forced into it; but the presence of worthless marauders and the absence of good military leaders made themselves sorely felt. Götz von Berlichingen, with the Iron

Hand, the Suabian Knight, whom the insurgents pressed into their service, played them false. The aid which the peasants received from the towns was generally neutralized through the firm hold which the patricians had reacquired within city walls. Nevertheless, the insurrection was so formidable that the princes, before meeting it by force of arms, generally thought it necessary to employ the most disgraceful perjury, in order to lull the people into a sense of security, and then beat them in detail.

More than a thousand feudal "robbers'" nests — for such they actually were, according to contemporary testimony — were destroyed during that upheaval; and a great number of them were never rebuilt. Many of the aristocratic dwellers in those fortified castles were alike rebellious to Imperial authority, and hostile to the prosperity of the towns, while towards the tillers of the soil they frequently acted like fiends in human shape. Rudolf von Habsburg, the German emperor, had those noble highwaymen hanged by dozens. The townspeople, when they could get hold of them, dealt with them as common criminals; and after the towns came the peasants. When now we see in Germany so many ruined castles and halls we should remember that not a few of them are records of the maddened feelings of a people driven by oppression to despair. However, after many sanguinary contests the Peasant Revolution failed, as, a little more than a century before, the Republican rising of the towns had been defeated. Princely orgies marked the downfall of the popular cause. Germany was covered with scaffolds and gibbets; but revenge was to come through the Thirty Years' War, which gave a tremendous shock to the Empire, and prepared the way for its later disruption.

I have shown that a great political and social turmoil occurred in Luther's time, in the very midst of the religious Reformation movement, and that the leaders who headed the masses mostly took their cue from Bible texts, interpreted or twisted into a sense favorable to the people's cause. Luther himself at first carried on his agitation almost in co-operation with the political movement, but when a certain point was reached a divergence occurred. He would no longer hear of what he called a "carnal reading of the Gospel." After the defeat of

the rising of 1525 the Reformation became exclusively a religious one. It remained political only in this sense, that those princes who went over to it endeavored to use it as a means of breaking up the Empire for their individual advantage. Under the cloak of religion they exerted themselves to establish separate sovereignties, — Luther's doctrine, that all existing government is by "right divine," being considered by them as equivalent to a doctrine of monarchical irresponsibility. In the peculiar position of Germany this was a tenet which became destructive of national cohesion. Yet the majority of the people, filled with deep hatred of priestly corruption, remained faithful to the Reformation cause, even in this form, though it now carried with it the seeds of political dissolution. For a short time the direction of the Reformation movement remained still in the hands of a Towns' League, then it passed entirely under the control of the princes, and the latter generally exhibited their selfishness and treachery alike against the people and amongst themselves.

The Germans have often prided themselves on having conquered the right of free thought, even though it was at the cost of their existence as a nation. The French historian Michelet, who confesses that his own sympathies are *not* with the religious revolution of the sixteenth century, yet says of the great German Reformer: "Luther was, in point of fact, the restorer of spiritual liberty to the ages which followed his era. He denied it theoretically, indeed, but he established it in practice; if he did not absolutely create, he at least courageously signed his name to the great revolution which legalized in Europe the right of free examination. To him it is in great measure owing that we, of the present day, exercise in its plenitude that first great right of the human understanding, to which all the rest are attached, and without which all the rest are naught. We cannot think, speak, write, read, for a single moment, without gratefully recalling to mind this enormous benefit of intellectual enfranchisement. The very lines I here trace, to whom do I owe it that I am able to send them forth, if not to the Liberator of modern thought?"

But the sacrifice the German nation made in this cause ought not to be forgotten. The armed struggle which fol-

lowed in the wake of the restricted Reformation movement lasted, with short intervals, not, as is often stated, a generation merely, but fully a century. What we call the Thirty Years' War was only the crisis of Germany's martyrdom. She was then literally trampled down under horses' hoofs. Armies, formed of the scum of Europe, held a series of riotous Walpurgis nights over her mangled body. Her life-blood ebbed out whilst her soul was panting for spiritual freedom. In some of the old chronicles it is described how, in the deserted villages, wolves with their litters were found in the beds of the massacred or exiled inhabitants. The springs of pity seemed to be frozen in the hearts of men. Year by year war cut down hundreds of thousands, whilst famine and pestilence swept over the land, bearing with them crowds of victims. Hunger made men cannibals, and even the graveyards had to be guarded. In this fashion the Reformation was achieved.

I have striven to give, within a short compass, a sketch of the earlier national struggles of Germany. It is, I believe, of importance to remember that the aspirations of the German popular party are not of yesterday; that, widened as its aims are now, it has something to look back upon; that there is an ancient tradition, however full of sad remembrances, for German unity as for German freedom; and I trust that the long battle for the people's rights will end in the establishment of a New Germany, comprising all its members, great in liberty, and strong in self-defence.

KARL BLIND.

Art. VI. — The Labor Question.

The most thankless service which can be rendered to man is that of showing him what he cannot do. When he has set his heart upon an object, and is striving after its accomplishment, in what seems to him the most promising way, he does not like to be told either that the object itself is unattainable or that the way he has adopted does not lead to it. No matter how conclusive the demonstration may be, he is pretty sure to regard him who presents it as an enemy. And yet it is a serious question whether modern scientific investigation has not done more for us in this indirect way than in any other. When an end is to be attained many ways of doing it present themselves to the mind. If the impracticability of any one is demonstrated, the labor of trying it is saved, and the attention may be confined to those which are more practicable. The establishment of the simple fact that power cannot be generated by machinery, or, in common language, that perpetual motion is impossible, has alone kept an amount of mechanical ingenuity from being wasted on an unattainable object which can hardly be over-estimated.

The present labor party stands greatly in need of such help. We see a vigorous effort on the part of a class of laborers to improve their condition by the instrumentality of legislation. This class has attained a certain middle stage of moral and intellectual development. Its members are fully conscious of possessing rights which the rest of the world is bound to respect, and are quite ready to enforce their rights by every proper means, but they are still deficient in that thorough understanding of the complicated machinery of modern society which alone can enable them to foresee the ultimate effect upon their own interests of the measures they wish to adopt. It would not, therefore, be strange should we find them engaged in pushing forward measures which must ultimately be prejudicial to their own interests. In so far as this is the case, no greater kindness can be done them than to point out to them wherein their exertions must fail to accomplish their object.

The term "laboring classes" is so vague that we shall be

led into confusion unless we define with greater precision the class whose interests are to be considered. In the widest sense of the term every man who exerts his faculties in satisfying the wants of his fellow-men is a laborer, no matter whether those faculties are physical or intellectual, whether the wants are those of body or mind. The opposing class of capitalists consists of the owners of the machinery, tools, and raw materials on which and with which labor is employed. Their income consists of the interest paid them for the use of their capital. The distinction between the services rendered by these two classes is well defined, but it is hard to draw a line between the individual members of the two classes. Every carpenter who owns the tools he works with is, to that extent, a capitalist, and every man actively engaged in business is a laborer, however large may be the capital he employs. The class of capitalists proper, that is, of men who live on the interest of their money, without exertion, is quite small in this country.

The impossibility of drawing a sharply defined line between the laborer and the capitalist need not, however, cause us any difficulty in our present discussion, since it is easy to consider separately the interests of each man as laborer and as capitalist. Laborers, in the wide sense of the term just now adopted, may be roughly divided into three classes.

(1.) Unskilled laborers, or those whose occupation requires the use of no faculty except muscular strength.

(2.) Skilled laborers, whose occupation requires a special training of the hand or of the senses, more especially of the eye, the ear, or the touch. This class, including mechanics of every kind, is that from which trades unions are formed.

(3.) Intellectual laborers, whose occupation requires mainly mental ability. This class includes not only professional men, but all whose business consists in planning, directing, or managing.

The present army of labor is recruited almost entirely from the second class. Among its emblems we find the plane, the trowel, and the hammer, but not the hod or the shovel. Farm hands are never found in labor conventions. Diggers on railroads sometimes strike, but they receive no pecuniary aid from

labor unions. If teamsters or hod-carriers ever marched in an eight-hour procession it was not in the hope of any other spoils than such as their superiors might choose to leave them. Yet if we are to consider the feasibility of dividing the products of human labor among the producers in proportion to the exertions of each, the neglected class of unskilled laborers will first claim our attention. From this point of view that class has more cause of complaint than any other. If we watch the erection of a building we find employed on the work hod-carriers, bricklayers, master-workmen, and an architect. If all these classes were equally well paid, and any one equally capable of performing the duties of any class were called on to choose to which he would belong, his first choice would undoubtedly be the duties of the architect, and his last those of the hod-carrier. From the ethical point of view we have suggested the occupation of the hod-carrier, being most disagreeable, should be the best remunerated, and that of the architect the least well paid. But we find the actual scale of remuneration to increase in the opposite direction. The bricklayer receives from two to three times the wages of the hod-carrier, the master-workman more than the bricklayer, and the architect more than both together. The same law will be recognized as extending almost universally through society. It would be easy to show that this is a necessary result of circumstances over which society has no control, were it not foreign to our present object. That object is to make it clear that the class actively engaged in the present labor movement forms but a fraction of the laboring population, and by no means that fraction which, from its own point of view, has most cause of complaint.

The class whose interests ought to be kept in sight in this discussion includes all who are unable to live upon the interest of their capital, and who are therefore obliged to labor with head or hand. This class, with their families, which belong to it, numbers, no doubt, more than forty-nine out of every fifty of our population. If we include only those who, from insufficiency of income, are unable to supply their current wants, and so feel themselves under constant pecuniary pressure, we shall probably include nine tenths of the whole popu-

lation. In round numbers, there are thirty-six millions of people in this country whose interests we are now to consider.

When we try to view so large a field from the stand-point of every-day life our horizon is too limited to see things in all their bearings. Let us then, in imagination, raise ourselves to a position whence we can comprehend the interests of these thirty-six millions in a single view. We find them all in want of things which may be classified under the general heads of food, clothing, shelter, and home comforts. The ultimate object of all organized movements among laborers is to secure a better supply of these necessaries, or, which amounts to the same thing, to keep up their present supply with a less expenditure of labor. Let us now see how this object can be secured.

We begin with shelter. The classes under consideration occupy perhaps three millions of houses. But the houses are neither so spacious nor so convenient as is desirable. Some are in need of repairs, others are too small, and need enlarging. New families are forming, and new houses are wanted for them. The most urgent want of the laboring classes is to have their houses repaired, improved, or rebuilt. How can this be done? The answer is a truism, but one of that large class of truisms which we constantly overlook. We must have more mechanical work done on houses. We must set more carpenters, bricklayers, plasterers, and painters at work, or those whom we already have must work more industriously or more effectively. If our present supply of mechanics cannot keep the entire population supplied with good houses, no legislation will enable them to do so. It takes a certain number of days' work to build or repair a house, and when we multiply the number of house-builders by the three hundred we have the entire number of days' work which can be spent on houses in the course of the year. As an increased expenditure of labor on houses is necessary to supply the first want of the laborer, so, if universally applied, it is sufficient. If the size and convenience of all the houses in the country were doubled, they would still have to be occupied by the same classes who now occupy them, and the laborers would enjoy their full share of the advantage. Even if all the additional labor were spent in building new houses for the wealthy, laborers would still get

a good share of the benefit. The old houses vacated by the owners of the new ones would now be for sale or rent to the class which came next in wealth; the latter would vacate houses for the class below them, and this operation would continue to the bottom of the scale.

The results of this survey may be summed up by saying that it is a physical impossibility for laborers to enjoy better shelter unless the present houses are rebuilt or improved; that they cannot be rebuilt or improved without expending more mechanical labor, and that if more mechanical labor is expended on houses, the laborers will enjoy their full share of the benefit. Such being the case, it might naturally be supposed that a general organized effort on the part of the laborers to improve their condition would have for its first object to increase in every possible way the size and number of houses to be built, and therefore to increase as much as possible the number of house-builders, and the amount of work each builder should do in a day, these being necessary prerequisites to the enjoyment of better houses. Singular as it would seem to one not acquainted with their history, we find all the efforts of labor unions exerted in the opposite direction.

We find among their rules one which limits the number of apprentices who shall be allowed to learn how to build any part of the house, the object being to keep the number of house-builders as small as possible. This rule is enforced by each individual pledging himself to work for no master who takes more than the prescribed number of apprentices. We also find that, whenever there is a strike of the bricklayers, carpenters, or any other class of men engaged in building houses, the labor unions, instead of being impatient at the stoppage of work upon houses, and the consequent injury to their prospect of improved houses to live in, always give every encouragement to the strikers, and support them with liberal grants of money. We also find that when trades unions have regulated the amount of work their members may do, their object has not been to increase this amount, but to diminish it. No bricklayers' union has, we believe, ever required that its members should come up to any standard of efficiency. But rules prohibiting members from laying more than a certain number of bricks — generally a

thousand — per day are common, if not universal. Finally, we know very well that the object of the present labor party is still further to limit the amount of house-building that can be done by diminishing the number of hours that mechanics shall be allowed to work. It is clear that if the community is insufficiently supplied with houses when builders work ten hours a day, the case will be yet worse under the eight-hour system.

Next to shelter better clothing is perhaps the greatest want of the laboring classes. Probably four fifths of our laborers are in want of a Sunday suit for themselves or of a decent wardrobe for their wives and children. To furnish the Sunday suits for the heads of families alone, about thirty million yards of cloth are absolutely necessary. Before this cloth can be got new factories must be built or the old ones must be enlarged, new machinery must be set going, more freight cars or ships must be employed to transport the cloth, and new warehouses must be built to store it until each laborer is ready to buy his share. When all this is done there must be tailors enough to make it up. And all the factories, cars, warehouses, and tailors must be additional to what was necessary to keep up the old supply of ordinary clothes, else the latter will fail.

Yet we find the labor unions, as a rule, ready to obstruct every one of these processes by every device in their power. If a combination of European paupers and capitalists offers to furnish the cloth at a price so low that the laborer can well afford it, government will try to stop the purchase by a protective duty, and the very laborers who want the cloth generally support this policy. If the bricklayers who are erecting the factory which is to make the cloth, or the masons who are building a warehouse to store it, happen to stop work through a quarrel with their employers, every trades union in the country will contribute money for their support, and will prohibit their members from taking their places on the work. If the tailors strike, they also are sure of liberal support from the hard-earned wages of the very men who most want the clothes they might be making.

The present labor movement thus presents us with the paradox of a network of organizations, extending over the country, actively engaged in obstructing the measures most necessary

for supplying the wants of their individual members. Thirty-five millions of people are in want of houses, clothing, food, and home comforts, and the most active of them are organized into trades unions whose principal object is directly or indirectly to limit in every practicable way the production of houses and clothing, and of some home comforts. The conclusion seems inevitable that the efforts of these organizations do not tend to improve the condition of their members. This improvement can be effected only by a policy which shall have for its object to increase the number of skilled laborers, to keep them constantly employed, and to make their labor as effective as possible. Unhappily, the strife after the highest wages stands in the way of any such policy, and the question of the exact benefit of high wages next demands our attention.

It is commonly thought that, if the laborer can only succeed in getting better wages, he is necessarily better off. If the increase is confined to a single class the opinion is quite correct. Common sense shows that the condition of an individual laborer is improved when he gets higher wages, provided always that he can purchase everything he wants at the same rate as before. But if he has to give more for everything he buys in the same proportion with his increase of wages, — if, for instance, having his weekly wages increased from fifteen to twenty dollars, he has to give one-third more for everything he wants, — common sense shows equally that he is no better off than before. Now it is a proposition susceptible of mathematical demonstration, that, if every one receives an increase of compensation in a fixed ratio for everything he does, and every service he renders, the cost of everything one has to buy will be increased in the same ratio, and no one will gain anything. To illustrate this principle, let us begin with the class of carpenters. If all the carpenters in the country have their wages increased one third, without doing any more work than before, the cost of all the houses built will be increased by one third the value of the carpenters' work. This increased cost must finally come out of the pockets of all occupants of houses, laborers included, in the form of increased rent if they be tenants, or increased cost of purchase if they be owners. If only the carpenters received the increase of wages, the burden of

the increased cost, being divided among the whole mass of their fellow-citizens, will be light. But if the lumbermen, the brickmakers, the bricklayers, the painters, and every one else engaged in house-building, get a similar increase of wages, the cost of everything which goes into a house will be increased one third, and the entire population, laborers included, must pay one third more for their houses.

The same rule applies to everything which the laborer has occasion to buy. The price we pay for any article is divided amongst the several producers of it in the shape of wages or profits. If every one engaged in the production of food has his compensation increased a third, all the food bought must cost one third more. Continuing the same course of reasoning throughout the community, we see that when every one has his income increased by one third no one is any better off than before.

Corresponding to this proposition is another of equal importance. If every one in the community performs one third more abor for his present wages, the entire community will be one third better off than before. Houses one third more valuable can then be built for the same money, and, in consequence, every one who occupies a house will be able to get one a third better at the present rent, or for the present price. The same effect will extend through everything the laborer wants to eat, drink, or wear. He will be able to command one third more of articles, or articles one third better, for the same money he now pays. This verifies the conclusion to which we were first led from our review of the wants of the country. The laboring classes can have their condition improved, not by a general ncrease of wages, but only by a general increase in the effectiveness of their labor.

An objection may be raised to this conclusion, that it is reached only by carrying the increase of wages a great deal farther than the advocates of labor reform propose. We have, i n fact, supposed that every one, laborer, tradesman, and capitalist, gets one third more money for whatever service he renders the community. For instance, according to our hypothesis, when the carpenter goes to market with one third more money in his pocket, he finds that everything costs one third

more, because the huckster, the farmer, the wagoner, and the farm laborer all have an increase of one third in their wages and profits. But the labor party may say that they intend to confine the increase to the wagoner and the farm laborer, to the exclusion of the farmer and the huckster; that then the cost of the vegetables will be increased only by the third of the wages of the laborers proper, which will perhaps make an increase of not more than one sixth of the entire cost; and that, if this can be effected, the carpenter will gain by the amount of one half his increase of wages.

Let us see how far this objection is valid. And, first, let us see what ground it does not cover. It does not diminish the absurdity we have commented upon in the efforts of the labor unions to restrict production. An organized effort to have as little house-building done as possible is one thing; an effort to obtain an increase of wages for doing the same amount of building is quite another thing. The former works evil to everybody who wants a house to live in, be he laborer or capitalist; the latter benefits those who get the increase of wages at the expense of those who do not, by making the latter pay more for the same service. The benefit received by the increase of wages will keep growing smaller as the increase is extended to other classes, and will vanish entirely when extended to all. If any member — and the same is true of any class — of the community thinks himself insufficiently paid, he has a perfect right to get more if he can. If the labor movement is a general effort on the part of the laboring classes to benefit themselves at the expense of their fellow-men, by getting an increase of wages, it is one on which they have a perfect right to enter. We propose next to inquire whether this object is attainable, and, if so, what will be the consequences of success.

In the contest we are now to review, the class of intellectual laborers may be considered as simple spectators, having no interest in it beyond that which every member of the community has, — that is, an interest in having everything necessary to his comfort produced as cheaply as possible. Skilled laborers, working on their own account and with their own capital, may be included in the same category. Leaving out thes

and all other neutrals, the contest is narrowed down to one between the employers and the employed, or between the laborer and the capitalist. There is a certain division of the combined product of labor and capital between these classes. The laborer is dissatisfied with his share, and is trying to increase it. What will be the ultimate effect on his own interests if he succeeds? This question involves some of the most intricate and least understood principles of political economy, and must therefore be approached with some considerations of a general nature. These considerations have especial reference to the interest of the laborer in the capital of others; to the conditions under which capital is accumulated; and to the effect of the absence of conditions favorable to that accumulation.

How are we to define capital? Usually it is defined as that part of the wealth of a country which is kept, not for its own sake, but to be employed further in production. This definition suffices to give a general idea of what capital is. But when we examine it closely we find it impossible to make a distinction between wealth kept for its own sake and wealth kept to aid in the production of more wealth. Indeed, if we take the term "production" in its widest sense, the definition will include everything in the shape of material wealth, since the object of all such wealth is the production of that immaterial wealth termed "gratification of desires." And if we suppose the term "production" to mean production of material objects only, this will leave capital to mean all wealth except that which comes last in the chain of material causes leading to the gratification of desire. We shall thus frequently be troubled to say which is the last link. Take the winter's supply of coals for our dwellings. This is designed for the production of heat, and if we regard heat as a product, then the coal falls under the head of capital. But we apprehend that few economists would consider it such.

The complex nature of political economy, its peculiar association of things so spiritual as hopes, fears, and desires with things so material as ploughs, ships, and steam-hammers renders an accurate classification of the objects about which it reasons very difficult. Any classification founded on the ex-

ternal qualities of objects will be worse than useless. For the science in question is essentially moral. The cause with which it begins is human desires; the effect with which it ends is the gratification of those desires. Its definitions should, therefore, be founded on moral considerations, physical objects being classified with reference to the mental states with which they are connected. Under this system an object which belongs to one class when you own it, may belong to another when you sell it to your neighbor, and thus distinctions are introduced which, on a superficial view, seem fanciful. This defect, if it is a defect, inheres in the very nature of the science.

The essential properties of capital are, we conceive, best expressed when we define it as *all those products of past labor from the enjoyment of which the owners are abstaining for the sake of a future profit.* We do not pretend that this definition affords an infallible touchstone by which to determine immediately whether any known object is or is not capital, but only that it involves the essential idea of capital. In every-day language, a man's capital consists of all the money he has saved from his income, and put out at interest, or otherwise invested, so as to yield him a profit. The interest, or other profit, is the only inducement to save and invest. Unless his investment increases it will never yield him any greater advantage than it would if he should spend and enjoy it now, and the risk of losing it would prompt him to enjoy his money while he could.

It may not at first sight be evident that the wealth from the present enjoyment of which the owners are abstaining for the sake of future profit is identical with the mills which make our clothes, the warehouses which hold them, and the dwellings which the laboring classes rent, and indeed with that vast system of industrial machinery by which the community is housed, clothed, and fed. To make this clear, let us consider how a factory came to be built. To fix the ideas, we will suppose that it cost its owner $100,000. Then, at the time of building, its owner must have been in possession of this sum of money, with the right to spend it as he chose. The case in which it was borrowed will be considered presently. Had he chosen he might have spent it on expensive furniture for his house, costly pictures, rare wines, and sumptuous dinners

for himself and his friends. Had he consulted only his temporary gratification, without care for the future, he would thus, as long as his money lasted, have derived much more pleasure from it than from the erection of a factory which would be of no service to him for several years to come. But since he could not with the same money obtain these articles of temporary gratification, and also build the factory, he has denied himself, and chosen the factory, giving up the temporary good of the present for the sake of a more enduring good in the future. Not, indeed, that the factory afforded him no gratification until he began to draw dividends from it, but that the gratification was only that which arose from a prospective good. What is true of the factory is true of every railroad, every warehouse, every stock of goods for sale, and every house built for rent. The money paid for all these, and other forms of capital, has been saved by the owners from expenditure upon their current wants, otherwise not one of them would ever have existed. If the projectors of any of these enterprises did not own the money themselves they must have borrowed it from some one else, and then it was the lender who denied himself the use of it upon his current wants, for the sake of the interest he expected to receive from it.

The profit on capital is Nature's reward for self-denial. From this point of view we see one reason why an uncivilized people never accumulates capital to any great extent. To the savage, a year hence is as distant as eternity. He may take thought of the literal morrow, but he feels little concern for the self of next year. The only object of saving capital being to benefit a future self, for whom he has no consideration, he never saves. In illustration of the depth of this defect, we may cite the difficulty of introducing agriculture among such tribes, arising from their persistent consumption of the grain which should be kept for seed.

The laborer has a direct interest in the increase of capital to the greatest possible extent. The destruction or diminution of capital inflicts more injury upon him than upon the capitalist. We have already shown that it is for the interest of the laborer to have the greatest possible number of comfortable houses built, and the greatest possible quantity of good and cheap

clothes manufactured. It can now be shown that everything the capitalist saves the laborer directly or indirectly gets the advantage of, in the shape of better houses, food, and clothes, and more articles of comfort or luxury. There is sound sense in the remark attributed to John Jacob Astor, that all he really got from his wealth was his food and clothing. All that the capitalist really takes as his share of the joint product of capital and labor is what he spends on his current wants. We shall prove this by showing that if he spends nothing on his current wants, but employs all his money as new capital as fast as he makes it, his laborers will have the benefit of his capital as completely as if they owned it themselves.

For this purpose let us return to the consideration of the factory. Its operatives and its machinery are employed in the production of clothes and other articles conducive to the well-being of the laborers. By building the factory the capitalist has increased the production of those articles, and cheapened their price, and so brought them within the reach of a larger number. But, it will be objected, he does not divide the cloth among the laborers, but makes all pay full price for it. This is true; only, as just now intimated, he does not get quite as much for it as it would have cost, had his factory not existed. But let us see what he does with the money received for the cloth. A large part of it is spent in paying the wages of the operatives. Another portion goes to keep the building and machinery in repair, and to form a fund for replacing everything as fast as it shall wear out. What is left after paying all expenses and keeping everything whole is the profit of the capitalist, and this is usually but a small annual percentage on the original cost. This profit is all the capitalist really makes by his enterprise, and, by hypothesis, he turns it all into new capital. If, then, we follow it into his pocket and out again, we may find him using it to build a block of dwellings which will be occupied by the operatives employed in his factory. So long as the latter occupy the houses, they get the benefit of them as completely as if they owned them. But in the latter case they would pay no rent, which they now have to do. To see whether this rent is lost to the labor of the country we must follow it, as we did the profit of the factory,

into the owner's pocket and out again. Population increasing, more cloth is required to clothe it, and more laborers are seeking employment. Accordingly the capitalist finds it for his interest to expend his surplus profits and rents in enlarging his factory and improving his machinery so as to make cloth of a better quality, and to make such other articles of comfort as the operatives and the public may wish to buy. We may continue the process indefinitely, and find the entire energies of the factory, including all the profits derived from it, constantly employed in ministering to the wants of the public, and especially to those of the laboring class.

To complete our demonstration it is only necessary to show that, if the factory were made over to the operatives in fee simple, they could hardly manage it better for their own interests, and might easily manage it a great deal worse. Suppose, then, that they come into absolute ownership. They may do what they please with the entire proceeds. They may, if they choose, spend them all on their personal wants, enjoying more expensive food, clothing, and houses, but reserving nothing to repair and replace the machinery. Should they continue in this way for a few years, the machinery would wear out. Then they would be worse off than ever. They must apply to capitalists for the means of replacing their boilers and engines. But if the entire capital of the country has been made over to the workmen in the same way, and all have been equally improvident, the condition of all will be deplorable. Expensive and complicated machinery is necessary to make engines and boilers, and if all the machinery of the country has deteriorated in the same way with that of the factory, then the latter can be replaced only at an enormous disadvantage, and all would be glad to purchase the use of a new outfit at a rate far exceeding that formerly paid to the capitalist as his profit.

But common prudence and foresight would warn the new owners of the factory against this improvident course, and induce them to lay up for the future. What portion of their net proceeds should they lay up? Just that portion which formerly went to the capitalist as owner. That is, when they come into possession of the factory, they must not, at first, try to better their condition, but must make the same division of the pro-

ceeds of the factory between their present and their future wants which was formerly made between themselves and the capitalist. What was before the share of the capitalist is now the reserved fund of the laborer. Following up our inquiry to see how this reserved fund shall be employed, we shall find it disposed of substantially as when the capitalist owned it, that is to say, one part will go to repair and replace the machinery, and another to build new and better houses for the operatives and their increasing families. But the operatives will not have to pay rent for their houses. True; but if they do not pay the equivalent of the rent into their reserved fund, they will not have the means the capitalist had to enlarge the factory for the supply of an increasing population. We have seen the capitalist employing all his surplus rents and profits in this way, and if the laboring owners do not save as much to be employed in the same way, they will soon find themselves worse off than before they came into ownership. Since the same amount they once paid for rent must now go into the reserve fund, they will have nothing more to spend on their current wants than when the capitalist was owner. This process of paying the capitalist's share into a reserve fund would have to go on indefinitely, so that the laborers, by owning the factory, could never enjoy any more of the products of their labor than when they were employed by a thrifty capitalist, who spent all his profits in the increase of his capital.

A careful examination of our premises will make plain the limitations under which the results of our reasoning are to be accepted. We have supposed the capitalist to put the entire income from his factory into the form of more capital, whereas, of course, he does this only in part, since he must live, and will be likely to spend more on his wants than he could gain by his mere skill, unaided by capital. The amount he thus spends is all he takes from the reserve fund of the laborer. Again, we have supposed that when he built houses for rent, they were let to laborers. But he may let them to men not usually accounted laborers, — physicians or lawyers, for instance. Here we simply use the term "laborer" in a wider sense than is usual, including under it all who are not capitalists, or do not own houses for themselves. Again, when the capitalist enlarges his factory,

it may be to make fabrics which the laborers do not want,—fine silks, for instance. In this case the factory will tend only indirectly to make clothing abundant for the laborer by furnishing the wealthy with a substitute. The position we can take and maintain may, by these considerations, be reduced to this: If the non-capitalists, *laborers included*, *owned the entire manufactured wealth of the country*, *their condition could be permanently improved only to a very slight extent*, *and it is very likely that it would not be improved at all.* In fact, the proposition that any improvement at all in the laborer's condition would be thus effected can, we conceive, be maintained only on the questionable assumption that the business affairs of the factory or other form of capital would be as well managed under the new *régime* as under the old. This question will be considered further on. We may, however, in illustration of the preceding argument, cite the case of communities such as those formed by the Shakers. Here there is no capitalist, and no profits to be absorbed by him, but the entire product inures to the benefit of the laborer. Yet it is extremely doubtful whether the actual benefit that each individual receives from his labor comes up to the average received by the farmers and mechanics of society. In making the comparison it must be remembered, too, that no eight-hour rule prevails in these societies, but that all their members labor with a persistence and industry which most men would find irksome.

One more proposition, and we shall be ready to conclude this intricate subject of capital. Every non-capitalist, whether laborer or professional man, has an interest in his neighbor's being provident, and in his saving all the capital he can. This follows logically from the principle already laid down, that every increase of capital tends to the advantage of the non-capitalist. But the proposition is at the same time so important and so frequently ignored, that a further illustration of it is desirable.

While it makes little difference to John Smith, who occupies a rented house, whether that house burns down or not, it is of great importance to him that all the houses should not burn down, though they belong entirely to others. If only his

own burns down, he can soon rent another; if all burn down, he must go houseless. The destruction of a single cotton factory is a small thing to any individual who is not an owner. But the total loss inflicted on the world is about as great as that inflicted on the owner, since the production of cotton is diminished by an amount equal to the total product of the factory.

The great point we wish kept clearly in view is this: while, as has been already shown, capital is the result of the exercise of individual self-denial, and while every member of the community, with the possible exception of the most wealthy capitalists, has an interest in the exercise of this self-denial on the part of his neighbors, there is no law which requires that exercise. Every member of the community is at liberty to spend all his income on his personal wants, and so do nothing to keep the public from that destitution which is the necessary lot of an improvident people. The only motive he has to pursue the opposite course is found, as we have seen, in the profit or interest which the less provident or less wealthy members of the community are always ready to pay him for whatever he can save. Deprive him of this, and the factories may decay, the spindles wear out, and the railroad cease its operation. We need say nothing more to illustrate the fatuity of that policy which would reduce the profits on capital by laws or industrial combinations. The policy of giving perfect freedom to the operation of the law of supply and demand, of allowing every one who can save capital to employ it in the most profitable way he can, and every one who desires to use it to borrow it in the cheapest market, is the easiest and best solution of the problem of dealing with capital.

A curious fact is to be noted in this connection. The hope of profit being the only inducement to save which acts on the great mass of mankind, there must be a certain minimum rate below which saving and investment will not be generally practised. This point, wherever it is, is the lowest to which the rate of interest can fall. The lowest average rate it has been actually known to reach for any considerable period is about three per cent, that is, such a rate that the accumulated interest will equal the principal in about thirty-three years. It ap-

pears, therefore, that, so far as the experience of the world has yet extended, men in general do not choose to make investments which will not pay for themselves out of the profits in thirty-three years, or in the average duration of the life of the investor, and thus that providence in money matters does not extend far beyond the life of the individual.

It is sometimes claimed that the great improvement in the condition of the laborer within the past century is due to combinations and strikes. It is true that strikes are frequently successful in gaining the terms demanded; but, in the opinion of the soundest thinkers, any terms gained by a strike could have been gained without it, only perhaps not so soon. And the grounds for this opinion seem quite tenable. A capitalist or employer will not be able to pay increased wages, unless he is making more than the usual profit in his business. Other capitalists will then be ready to step in and compete with him, and, in order to secure a profitable business, will bid higher for labor. This competition will continue until the wages bid will be as high as could have been obtained by a strike. We can therefore say this, and no more, for strikes: if every strike were immediately successful, the workmen would command an increase of wages sooner than if they had not struck.

To balance the account, we must debit the striking system with what it costs the laborers themselves. Could this be calculated, the figures would excite astonishment. The items would be divided under the following three heads: —

(1.) The money cost of the strike shown by the advances made by trades unions to sustain the strikers. There are, of course, no statistical data for estimating the total amount thus expended, but it probably includes a large fraction of the contributions levied by the unions on their members.

(2.) The loss and distress to the strikers arising from the absence of their usual wages during the strike, this loss being only partly made up by the contributions just mentioned. These two items combined make the sum-total of the wages during the strike, or its total money cost. If the sufferings frequently undergone by the workmen and their families are taken into account, it will be conceded that the mere money cost of the strike does not give any adequate idea of what those who take part in it undergo to enforce their rights.

(3.) The indirect loss to the entire laboring community arising from the higher price and greater scarcity of the articles that the strikers were engaged in producing. This item might be a large or a small one according as these articles were mainly consumed by the poorer or the more wealthy classes. In the former case, after the strikers were all victorious, they might find their dearly bought increase of wages entirely absorbed by the increased cost of houses, clothing, and food arising from a general strike. A fair balancing of the account will, we conceive, show a large balance against the strikes.

We have endeavored in this review to trace the efforts of the present labor organizations to their ultimate effect upon the true interests of the laboring community. We have found that, instead of tending to improve the condition of the laborer, they tend to make it worse. They wage war against capital and production, while it is for the interest of the laborer that both shall be increased as much as possible. If they ever succeed in getting a general increase of wages it is at great cost, and is then in great part paid out of their own pockets in the form of an increased cost of the necessaries of life. We have found that the restrictive system works no better when operated by a voluntary association of men than when enforced by a government. Having thus completed the thankless task of showing that the laboring classes will not be bettered by the success of the present labor party, let us next inquire how their condition may be improved.

Taking into account all the circumstances of the problem, we conceive that the more extended introduction of the system of co-operation is the most practicable method. Under this system the workmen combine, not to fight the employer, but to compete with him on his own ground. If they can command the necessary capital they dispense with the services of the employer entirely, the same number who under the hiring system might be working for one employer now working in copartnership. If the business requires machinery too expensive for them to command they work in copartnership with the capitalist, receiving in lieu of a part of their wages a share in the profits. A remarkable instance of the success of the latter plan has occurred in South Yorkshire, England, within the last few years. The col-

liery of Briggs & Co. had been peculiarly unfortunate in its relations to the miners, war having been waged for years by strikes on one side and "lock-outs" on the other. Mr. Briggs resolved to try an experiment. The property in the colliery, valued at £90,000, was divided into nine thousand shares of £10 each, and a joint-stock company was formed on this basis. Three thousand shares were offered to the miners and the public. To fix the share of the workmen in the profits, an imaginary capital was formed, of which the wages of the workmen were considered as the interest. The rate of interest to be allowed on both the real and fictitious capital was ten per cent; this fictitious capital was, therefore, ten times the annual wages of the workmen. Whatever could be gained above the interest was to be divided annually between the workmen and the shareholders as profits. If the proceeds of the colliery did not divide ten per cent, the loss fell entirely on the owners proper. The success of the project was almost magical. Every miner, now feeling himself a stockholder, exerted himself for the common good. For two or three years the surplus profits sufficed to add a considerable percentage to the wages of the laborer, as well as to form a reserve fund against a time of business depression. Equally great was the improvement of the personal relations between the laborers and the owners. The former sentiments of the laborers were expressed by the declaration of one of their number in a public harangue, that "Mr. Briggs wanted only horns and hoofs to be the very Devil." With the success of the new arrangement the opposite sentiment was expressed in nearly as extravagant a manner.

We are far from maintaining that success such as this, or great success of any kind, is to be expected as a general rule. In fact, we conceive that the chief danger to the new system comes from the extravagant expectations of its ardent friends. To the enthusiastic reformer no movement which will do less than revolutionize society, or prove an infallible panacea for some social ill, seems worth supporting. Therefore, having taken up the plan of co-operation, he lauds it as that which may put every workingman on the high-road to wealth. If the projectors set out with such an idea as this they will be sure to meet with disappointment. To guard against this

misfortune, our inquiry into what good may be effected by co-operation must be prefaced by some statements of what co-operation will not succeed in doing.

No system yet discovered will lead to that Utopia of the labor reformers, in which every workman in the land shall indulge himself in the daily consumption of commodities requiring two days' labor to produce. No community will ever enjoy more or better houses than can be built and kept in repair by its bricklayers and carpenters, better clothes than can be made by its operatives and tailors, or more food than can be produced by its farmers. Labor will never effect anything without capital, and it will never command capital without paying for it, either directly or indirectly. The combined efforts of labor and capital will effect no more than they now do, unless the laborer works with more steadiness, and practises more economy than now. Until these efforts are more effective, the laborer will enjoy no more wealth than now.

To see what a co-operative association cannot do in a particular case, let us consider the management of a printing-office. An association of printers, before undertaking such an enterprise, will wisely inquire into the amount of money yielded by such an office under the old system, and the distribution of that money among the several parties interested in the office. The result may be put into such a form as the following: —

In a well-managed Office.

Total sum received for printing		$100,000
Wages paid printers and laborers . .	$70,000	
Services of proof-readers . . .	5,000	
Loss and wear of type, ...	3,000	
Wear and tear of machinery, etc. . .	4,000	
Rent of office	10,000	
Office expenses and small losses arising from bad management . . .	1,000	
Manager's and capitalist's profit . .	7,000	
	$100,000	

In a badly managed office the receipts will be a little less, and the items of loss and wear of type and machinery a little greater, while the small losses will be largely increased. The

difference may not only absorb the $7,000 profit, but may make the office lose money.

If the printers themselves run the office, they will have this prospect before them. If they work no more effectively than before, they will be able to earn only the $100,000. Out of this they will have to pay the same amounts as the capitalist for the services of proof-readers, the wages of foreman, the wear of type and of machinery, and the rent of office; for we may be sure that he got everything at the cheapest rate. Subtract these expenses from the gross receipts, and the share left for the society will vary between $70,000 and $77,000, according to their managing ability. Out of this they must still pay the interest of borrowed capital, which may absorb what was before the profit of the capitalist. Therefore, unless the society possesses the business ability to manage the establishment well, the receipts of the individual members may easily be less than under the wages system. If this is the only result of the change of system, to what advantage, it may be asked, can the co-operative system lead? If the laborer, working as industriously as now, and spending as much on his wants as now, can reap no advantage, why propose the change?

It must be admitted that no advantage whatever will follow, as a matter of course. The gain is not necessary and direct, but mainly incidental, indirect, and dependent on accidental circumstances. We have seen that the frequent cessations of labor from disagreements between the workmen and their employers about the rate of wages is a source of loss to all parties by diminishing the supply and increasing the price of those products the workmen who have become idle might be producing, as well as causing the latter the loss of wages during the term of disagreement. Under the new system there would be no such disagreements, unless the co-operative association should refuse to work for such prices as the public might be able and willing to pay. Such a course would seldom or never be resorted to, because its injurious effects would have become more obvious than when the members were working for an employer, and also because, being capitalists as well as laborers, they would sustain the loss upon idle capital as well as that upon idle labor. The producers being always at work for the public on the best

terms they could command, their products would be cheaper and more abundant, which would be for the advantage of the public, and the price of the product being varied to meet the varying demand, the latter would be kept up, and the producers would always find employment, which would be in like manner for their advantage.

The steady employment of every producer in the way most advantageous for production being the first object of every wise system of labor, it may be advisable to glance at some causes which interfere with its attainment, and to show that they will not operate so strongly under the system of co-operation. Prominent among these causes is a certain benevolent trait in human nature itself, which makes it repugnant to our feelings to " drive a hard bargain " with one whose services we desire. If we felt equal repugnance in refusing his services entirely this trait would be less injurious in its effects. Unfortunately, such is not the case. An employer feels no compunction in telling a workman he has no occasion for his services, however great the needs of the workman may be. So he will sometimes refuse to employ him, when, by employing him at less than the regular wages, a bargain advantageous to both parties might be made. The consequence is that the workman is driven to seek employment of some one who has no compunction in employing him on the hardest terms to which his necessities may compel him to submit. Thus, in our cities when business in a trade is very dull, it sometimes happens that the more needy workmen in that trade are employed by the less reputable class of employers at half the usual wages, and large numbers of others are out of employment, when employment could be found by all, if their wages were reduced one fifth.

It may be asked, Does not this very state of things show the expediency of having a fixed rate of wages for each class of workmen, from which none shall depart? We reply yes, if that rate is always adjusted to the varying state of the market. When the demand for laborers of any particular class falls off, their true interest, or, to speak more precisely, the true interest of the laboring classes generally, will be found in a voluntary reduction of the rate of wages of the particular class referred to. When the demand is restored the rate should be increased

again. The criterion by which to determine that the true rate is fixed is, that all who desire work at the fixed rate shall be able to find it; in other words, that the demand shall be made to correspond with the supply. We say, all who desire work; because, if any one conceives the wages too low to make it for his individual interest to accept them, it is his right to refuse, and either remain idle until the demand is restored, or to enter some other employment.

Under the system of working for hire such an adjustment would be subject to the inconvenience that in many cases a reduction of wages would inure entirely to the benefit of contractors, and a rise of wages would come entirely out of their pockets. In our cities contracts for building are usually concluded in the spring, though they may not be filled until autumn or later. Indeed, whenever made, they must be founded on an estimate of the price of labor several months in advance, and if this estimate proves erroneous, the contractor is generally the sole gainer or the sole sufferer. Now, as we have already shown, when each laborer, or association of laborers, sells its products in the public market on the most advantageous terms, all the inconveniences attending the alteration and adjustment of the rate of wages are avoided.

Another incidental advantage of the co-operative system is the stimulus it will necessarily give to the cultivation of economy and business habits on the part of the workmen engaged in it. The want of business ability on the part of the laboring classes is perhaps the most serious obstacle in the way of the new system. Indeed, it might be argued with great force that its general introduction into this country is impracticable for this very reason. It might be said that our people are so versatile, the field for the employment of skill and capital so large, and the opportunities of becoming an employer of labor so numerous, that no one possessed of the ability to manage any business need remain a laborer for hire. Consequently, the very fact that one belongs to the latter class is evidence that he does not possess business ability, and it is useless to expect skilful business management on the part of any association of laborers for hire.

If the premises of this argument are granted, the conclusion

is unavoidable. But the question whether there is any latent managing ability on the part of our laborers is one that can be decided only by trial. The data for forming an intelligent judgment of the question are extremely meagre. Strange as it may appear, the seeker after such knowledge finds it much easier to inform himself of the condition and doings of the laboring classes of England and Germany, and even of France, than of those of our own country. Within the last few years a great many books have appeared in Europe, giving detailed accounts of the labor organizations in those countries, their efforts and their prospects. A commission to inquire into this subject was appointed by the British Parliament, and its report may be considered as exhausting the subject, so far as the facts are concerned. In this country we have nothing, or next to nothing, in a permanent form. We have labor unions in all our principal cities, but of the details of their organization and internal management the public knows nothing. They are rarely heard of except when some agitating subject, like a strike or the admission of a colored member, is under discussion, and when the subject is disposed of they again fall back into obscurity. A few years since the Congress of the United States enacted a law that eight hours should be a legal day's work for laborers in the employ of the government, but for what reason can only be guessed at. A search through the Congressional Globe for the speeches made on the occasion would probably lead to no information more satisfactory, and to no better reason, than that eight hours is enough for a man to work.

With a field so uncertain to work in, it is all-important that the first trials of the system of co-operation shall be made in those branches of business which require the least amount of business ability or of special training. Such are most of the mechanical trades in which the chief value of the thing produced arises from the labor expended on it by a single set of mechanics. In the manufacture of the coarser articles of furniture, for instance, the business could be successfully conducted without much training; the skill principally required being that of the mechanic himself, and the amount of capital to be invested in raw material being so small that fluctuations in price would not be ruinous to the producer. Not dissimilar are most of the

branches of house-building. In building a house one must now employ at least five contractors, the bricklayer, carpenter, painter, plasterer, and plumber. The principal business of each contractor, as such, is to see that his men do their work properly. Why should not the services of four out of the five be dispensed with, and the responsibility for the general excellence of the work rest upon a single contractor, the workmen themselves, under a supervision of their own choice, being trusted for the proper execution of the details? Only because now there is no trustworthy association among the workmen, and the latter are in this respect profoundly indifferent to their own interests. The present unions are organized on the idea that they are exclusively laborers for hire, and discourage rather than encourage any such independent action as that which we have spoken of.

The business of buying and selling is the least favorable for the introduction of co-operation, because capital and business skill are the principal requisites to success, and mere labor, skilled or unskilled, an element of comparatively little importance. The brilliant success of the Rockdale co-operative store proves nothing except what may be accomplished by industry, frugality, and good management under favorable circumstances. We hear of the successes of such attempts, but not of the failures. Many years ago the system was tried in Massachusetts on a large scale, under the very common impression that the retail grocers were making enormous profits, and that the consumers could save a large part of the profits by having "union stores" of their own. The success of the attempt was anything but brilliant. We have no statistics from which to draw an accurate conclusion, but we believe the cases of failure were far more numerous than those in which more than ordinary business profits were made.

The fact is that in these schemes, and in most schemes of trading now urged upon the working classes, the mistake is made of aiming at two objects, which have no necessary connection with one another. These are, buying and selling for a profit by dealing with the general public, and supplying the members themselves with goods at a rate cheaper than that at which they now purchase by retail. The proposed mode of carrying out these objects is to set up a store, owned by a large association, for the sale of goods to members of the association and

to the public. If the members receive no favors in dealing with it, which is the proper course, the profits will be the same as in the case of a similar store equally well managed by a private individual. But such a store does not, on the average, yield more than the regular profit on capital, the owner sometimes failing entirely, sometimes making a moderate profit, and sometimes growing rich, according to his judgment and skill in managing his business. Therefore, to succeed, the association must exercise this judgment and skill in the same degree with the regular dealer. If the members receive favors, the cost of these favors will necessarily come out of the profits to be divided, thus diminishing them, and increasing the chance of failure. Accordingly, the establishment of co-operative stores cannot result in supplying an association with cheap goods, unless in very unusual cases. It is simply an attempt to do by a large association what can be better done by an individual.

If we compare the wholesale and retail prices of the same goods in the same market, we shall frequently find a difference which seems quite unreasonable. In the cases of books and market produce the retail price exceeds the wholesale by from thirty to sixty, and even one hundred per cent. It may well be asked, Is there no way in which the poor can supply themselves with articles of daily consumption at something near wholesale prices? Undoubtedly, if they will take the proper course. To judge what is the proper course it is necessary to know the cause of the evil. If we inquire into this cause, we shall find that the advance of the retail on the wholesale price is what is paid by the consumer for certain advantages and accommodations, namely, the privilege of getting his goods,—

(1.) At any time that he may want them;
(2.) In any quantity that he may desire;
(3.) Of any quality that he may desire;
(4.) At some convenient place;
(5.) On credit, when he desires it.

To fulfil the first condition it is necessary to maintain a supply of goods, and to have some one to attend to them. This costs interest on the investment in goods, rent of building, insurance against fire, water, and burglars, and wages of storekeeper. The second condition involves the labor of measuring

or weighing the goods in parcels to suit purchasers, and a certain amount of waste. The third condition requires that the supply should be very large and varied, in order that every one shall be able to suit himself. A large and expensive store is therefore necessary, and a large amount of labor has to be expended in showing the goods to customers. The fourth condition requires the store to be situated in some place where rents are exceptionally high. The fifth condition involves a risk of bad debts, which must be met by an addition to the price of the goods. The necessary cost of fulfilling these different conditions makes up the entire difference between the wholesale and retail prices. Consequently the only way to get goods cheaper than under the present system is to give up some or all of the accommodations which that system is designed to secure us. The store and storekeeper must be dispensed with entirely. The members of the association must agree upon some particular designation or quality of goods, with which all are to be satisfied; they must contribute cash for the purchase in advance; and when the goods arrive in bulk they must divide them among themselves. If there is anything impracticable in such a plan of operation, it is simply that human nature will not permit men to submit to all these restrictions, and that the difficulty of agreeing upon any definite quantity of a designated article would be insurmountable, or at least would cost more to surmount than the system would save. The question of practicability can be settled only by actual trial.

We cannot expect much from the co-operative system unless it shall include the employer as well as the laborer in its associations, and thus command capital and skill as well as mere labor. The case of the Briggs Colliery, already cited, furnishes an example of the success of this plan. We see no reason, even in human nature, that foe of ideal perfection, why the capitalist, the master-workman, and the laborers should not work together as members of a co-operative union. The laborers would then have an opportunity to learn something about business, and to acquire business habits in all cases where such habits were possible. The nature, duration, and conditions of the associations should be determined by the exigencies of each particular case, and the few general rules which

can be laid down respecting them are mainly negative. Among the most important is this, — no restrictions should be placed on the independent action of each association. The members of each association should be allowed to work six, eight, ten, or twelve hours per day, according to their individual necessities, or the briskness of the demand for labor. When the different members of any one association chose different hours of labor, each should share in the proceeds in proportion to the amount of labor he furnishes. When the demand for labor is unusually great, and the price which can be obtained unusually high, the members will naturally work harder than when the opposite is the case, and they will thus provide themselves with means to meet the recurrence of dull times. Instead of having every workman bound down to an invariable standard, which has no connection with his necessities or the state of the labor market, each will be nearly as independent as if working exclusively on his own account.

The unavoidable conclusion of our extended inquiry into the existing state of things is that no sudden and universal improvement in the condition of the laboring classes is possible. But it does not follow that there is nothing to be done by those who have the interests of the laborers at heart. If no sudden improvement is possible, a gradual one may be. If we compare the comforts enjoyed by every class of society now with those which were possessed a hundred years ago, we shall see an immense improvement. With the increase of the means of production, and the opening of new fields of industry, we may hope for continued progress in the same direction. But we must not disguise the fact that there is another cause which not only tends to retard this progress, but operates in the contrary direction. We refer to the necessary diminution in the supply of certain of the raw materials necessary to production.

If we trace back the steps in the production of any article of utility, we shall find ourselves ultimately dependent on certain natural agencies and materials for all our means of subsistence. Such are the heat and light of the sun, the soil which furnishes the growth of the vegetable world, the rocks and minerals hidden in the earth, the streams which flow over its surface. Deprived of these, the human race would cease to exist. Now,

when we enter upon a close inquiry, we find that while certain of these agencies are unlimited in amount, and equally free to all, there are others of which the supply is limited, or of which all cannot equally avail themselves. The heat and light of the sun, for instance, belong to the first class. But there are only fifty millions of square miles of land on the surface of the globe, and the surface of productive soil is much smaller. In a densely populated community the amount of land within reach of any one individual is very small indeed. Again, navigable rivers run by the doors of very few. The total amount of water-power in any State of the Union is extremely small, while coal, iron, lead, and copper are found only in certain favored localities.

The inevitable consequence of this state of things is a continual diminution, as population increases, of the amount of these agencies which is at the command of each individual. If this were all, it would affect all classes nearly alike. But it is well known that these materials and agencies, as fast as they become available, are in the main appropriated by individuals, through the agency or consent of government, and are then held as private property. Such is the case with the soil and the minerals beneath it. The owners of this property charge as much for the use of it as if it were their own creation, and not that of nature. The price thus charged, termed "Rent" by the English economists, necessarily increases with the increase of population. In England, where nearly all the land is held by a small fraction of the population, rent is an important element in the cost of that portion of the food of the people which is raised in that country. Against this policy the laboring class has reasonable ground of complaint. The doctrine that the soil is of natural right the common property of the human race, and that each individual should be allowed to enjoy his share, is now tacitly admitted by many eminent economists of England and France. If this right could be enforced, the rent of all the land of any country — England, for instance — would be divided among the inhabitants, and the poorer classes would be made wealthier by the amount thus distributed. It must be borne in mind that the right here referred to is only that to the soil itself, in a state of nature, and not to the improvements which have been made by labor. Unfortunately, the soil and the improvements are practi-

cally inseparable. It has even been claimed by some that the soil never has any value apart from the improvements, — a proposition which can be accepted as true, we conceive, only through a misunderstanding of the question. That lands on which the owners have never bestowed a day's labor are every day sold at prices ranging from $1.25 per acre to $10 per foot; that every portion of land brought into market is owned by some one to the exclusion of every one else; that the number of acres is limited by Nature herself; and that the productiveness of land is not proportional to the labor expended on its improvement, are incontrovertible propositions.

In view of these facts, and of the importance of land to the future laborer, our laboring classes have just cause of complaint in the wasteful spirit with which Congress is always ready to "donate" the public lands to railroad corporations. Since the decadence of the whiskey ring, the railroad rings are perhaps the most powerful in Washington. Their relative success illustrates that peculiar feature of congressional political economy which encourages enterprises in proportion to their inability to pay. For many years past Congress has been besieged for authority to build a railroad from Washington to New York, no charge whatever being made for the service. The projectors have hitherto been successfully opposed, really on the ground that the usefulness of the road would be so great that the owners would make an inordinate profit. On the other hand, a company proposing to build a road in the new States can get a bonus of a thousand acres of the public lands for every mile or two of road built, by simply trying to show that otherwise their road will not pay for itself. In every such gift the government parts with what may be of the utmost importance to the laboring classes in future generations. While we cannot agree with the extreme views of those who would give every one a free homestead, and make it inalienable, we do hold that Congress should do everything in its power to prevent the aggregation of immense landed estates in the hands of individuals or of corporations.

In the course of this review we have glanced at some of the efforts now making by the laboring classes to improve their condition. We have shown wherein some must fail, and pointed out the obstacles which stand in the way of the best-

directed efforts. The thoughtful reader will not fail to notice that the most serious obstacle was found in human nature itself, and this in the nature of the laborer himself, rather than in that of the men with whom he has to deal. We have no difficulty in showing how every other obstacle may be removed. The secret of success lies in organizing the labor of all who in any way work together so as to make their combined efforts the most effective possible. But if they do not know how to organize successfully, it is useless to make the effort. The general intellectual improvement of the laboring classes is therefore the first condition of their physical improvement. It may be said that this is one reason for lessening their hours of labor, since the fewer hours they are engaged in physical exertion, the more energy they will have left for mental improvement. Unfortunately, it is only in rare and exceptional cases that an uneducated man can be educated intellectually. He may learn a great deal, but learning is not education. The mode of thought of nearly every human being is fixed before he attains his majority, and a correct mode of thought is the very thing which is wanted. There is, besides, no reasonable probability that a mechanic who does not improve himself intellectually when working ten hours per day will succeed any better when his hours of labor are reduced to eight. It is a significant fact that it is only in Germany — the country which enjoys the best system of universal education — that the co-operative system has ever gained much ground, or been generally successful. In France fully half the attempts have been failures.

One important want is the introduction into our public schools of the study of political economy. We do not mean the science as developed by McCulloch and Mill, but the elementary principles which may be illustrated by the facts of every-day life. The views of the pupil should be so expanded that he can see the fallacies of that popular system of political economy which seems to grow in every uneducated mind as naturally as does the notion that the earth is flat and immovable. The works of Bastiat contain an admirable and, we regret to say, unique collection of illustrations of those fallacies. In the absence of any work designed for common schools we may cite some principles which we conceive capable of being taught to

the majority of youth. Half at least of the boys between the ages of fifteen and twenty might be made to see that the community is a co-operative association in which each one, while having only his own good in view, does still work for every one else ; that labor is the only source of wealth ; that the amount of wealth which the community enjoys can be increased only by increasing the amount or the effectiveness of labor ; that the money paid for every product of labor is divided among those producers ; that the income of every member of the community is equally spent in giving employment to others, whether he be a spendthrift or a miser, whether the immediate object of expenditure be clothing or bank-stock ; that the man of wealth, when he invests his money, employs it in the way most advantageous to the laboring poor. A large proportion might be carried a little further, so as to see some of the relations between capital and labor, and some of the causes of the great inequality in the wealth of individuals. The notion that the capitalist takes what belongs to the laborer might also be met by showing that the latter is quite at liberty to dispense with the help of the former, and that it was only because the former chose to save his money that he became able to employ labor at all. The necessity of skill and knowledge to organize labor and make it effective, and the rightfulness of allowing the possessors of that knowledge and skill to get whatever share they are able of the profit which comes from them, and the impossibility of their getting more than the benefit they themselves confer might complete the course.

These principles, we repeat, seem to us capable of comprehension by youths whose minds are not preoccupied by false theories. Those who do master them would be able to judge better of the action and the capacities of the social, wealth-producing machinery of the country than the majority even of our legislators now are. We are aware that it is the fashion to decry all such instruction on the ground that it is of no practical use. We believe, on the contrary, that instruction in general principles, irrespective of any special application, is just that which is most needed. It is about these mainly that men differ. What makes the difference between a Republican and a Democrat, between a free-trader and a protectionist? Is it

that the one possesses any practical knowledge of facts, or any practical experience in life which the other does not? Clearly not. The difference between them lies much deeper, and is to be looked for in their general views of the principles of social organization and the objects and effects of industrial activity. What makes the proposed instruction more necessary is that each one conceives the general principles from which he reasons so obvious that he seldom or never takes the trouble to examine them critically. Not only the will, but even the power to make such an examination seems reserved to the educated few. Yet, if it is from such principles that the great differences of opinion flow, all discussion which is not directed to the examination of these must fail of its object. It is therefore only to the more thorough education of the masses in such general laws of wealth as those which we have pointed out that we can look for great improvements in our social policy.

SIMON NEWCOMB.

ART. VII. — 1. *Publications of the Chaucer Society.* London. 1869–70.

2. *Étude sur G. Chaucer considéré comme imitateur des Trouvères.* Par E. G. SANDRAS, Agrégé de l'Université. Paris: Auguste Dusand. 1859. 8vo. pp. 298.

3. *Geoffrey Chaucer's Canterbury-Geschichten, uebersetzt in den Versmassen der Urschrift, und durch Einleitung und Anmerkungen erläutert.* Von WILHELM HERTZBERG. Hildburghausen. 1866. 12mo. pp. 674.

4. *Chaucer in Seinen Beziehungen zur italienischen Literatur. Inaugural-Dissertation zur Erlangung der Doctorwürde.* Von ALFONS KISSNER. Bonn. 1867. 8vo. pp. 81.

WILL it *do* to say anything more about Chaucer? Can any one hope to say anything, not new, but even fresh, on a topic so well worn? It may well be doubted; and yet one is always the better for a walk in the morning air, — a medicine which may be taken over and over again without any sense of sameness, or any failure of its invigorating quality. There is

a pervading wholesomeness in the writings of this man, — a vernal property that soothes and refreshes in a way of which no other has ever found the secret. I repeat to myself a thousand times, —

> "Whan that Aprilë with his showrës sotë
> The droughte of March hath percëd to the rotë,
> And bathëd every veine in swich licour
> Of which vertue engendered is the flour, —
> When Zephyrus eek with his swetë breth
> Enspirëd hath in every holt and heth
> The tender croppës, and the yongë sonne
> Hath in the ram his halfë cors yronne,
> And smalë foulës maken melodië," —

and still at the thousandth time a breath of uncontaminate springtide seems to lift the hair upon my forehead. If here be not the *largior ether*, the serene and motionless atmosphere of classical antiquity, we find at least the *seclusum nemus*, the *domos placidas*, and the *oubliance*, as Froissart so sweetly calls it, that persuade us we are in an Elysium none the less sweet that it appeals to our more purely human, one might almost say domestic, sympathies. We may say of Chaucer's muse, as Overbury of his milkmaid, "her breath is her own, which scents all the year long of *June* like a new-made haycock." The most hardened *roué* of literature can scarce confront these simple and winning graces without feeling somewhat of the unworn sentiment of his youth revive in him. Modern imaginative literature has become so self-conscious, and therefore so melancholy, that Art, which should be "the world's sweet inn," whither we repair for refreshment and repose, has become rather a watering-place, where one's own private touch of the liver-complaint is exasperated by the affluence of other sufferers whose talk is a narrative of morbid symptoms. Poets have forgotten that the first lesson of literature, no less than of life, is the learning how to burn your own smoke; that the way to be original is to be healthy; that the fresh color, so delightful in all good writing, is won by escaping from the fixed air of self into the brisk atmosphere of universal sentiments; and that to make the common marvellous, as if it were a revelation, is the test of genius. It is good to retreat now and then beyond earshot of the introspective confidences of modern

literature, and to lose ourselves in the gracious worldliness of Chaucer. Here was a healthy and hearty man, so genuine that he need not ask whether he were genuine or no, so sincere as quite to forget his own sincerity, so truly pious that he could be happy in the best world that God chose to make, so humane that he loved even the foibles of his kind. Here was a truly epic poet, without knowing it, who did not waste time in considering whether his age were good or bad, but quietly taking it for granted as the best that ever was or could be for *him*, has left us such a picture of contemporary life as no man ever painted. The pupil of manifold experience, — scholar, courtier, soldier, ambassador, who had known poverty as a housemate and been the companion of princes, — his was one of those happy temperaments that could equally enjoy both halves of culture, — the world of books and the world of men.

> "Unto this day it doth mine hertë boote,
> That I have had my world as in my time!"

The portrait of Chaucer, which we owe to the loving regret of his disciple Occleve, confirms the judgment of him which we make from his works. It is, I think, more engaging than that of any other poet. The downcast eyes, half sly, half meditative, the sensuous mouth, the broad brow, drooping with weight of thought, and yet with an inexpugnable youth shining out of it as from the morning forehead of a boy, are all noticeable, and not less so their harmony of placid tenderness. We are struck, too, with the smoothness of the face as of one who thought easily, whose phrase flowed naturally, and who had never puckered his brow over an unmanageable verse.

Nothing has been added to our knowledge of Chaucer's life since Sir Harris Nicholas, with the help of original records, weeded away the fictions by which the few facts were choked and overshadowed. We might be sorry that no confirmation has been found for the story, fathered on a certain phantasmal Mr. Buckley, that Chaucer was "fined two shillings for beating a Franciscan friar in Fleet Street," if it were only for the alliteration; but we refuse to give up the meeting with Petrarch. All the probabilities are in its favor. That Chaucer, being at Milan, should not have found occasion to ride across so far as Padua, for the sake of seeing the most famous literary man of

the day, is incredible. If Froissart could journey on horseback through Scotland and Wales, surely Chaucer, whose curiosity was as lively as his, might have ventured what would have been a mere pleasure-trip in comparison. I cannot easily bring myself to believe that he is not giving some touches of his own character in that of the Clerk of Oxford: —

> "For him was liefer have at his bed's head
> A twenty bookës clothed in black and red
> Of Aristotle and his philosophië
> Than robës rich, or fiddle or psaltrië:
> But although that he were a philosòpher
> Yet had he but a little gold in coffer:
> Of study took he mostë care and heed;
> Not one word spake he morë than was need:
> All that he spake it was of high prudèncë,
> And short and quick, and full of great sentencë;
> Sounding in moral virtue was his speech
> And gladly would he learn and gladly teach."

That, himself as plump as Horace, he should have described the Clerk as being lean, will be no objection to those who remember how carefully Chaucer effaces his own personality in his great poem. Our chief debt to Sir Harris Nicholas is for having disproved the story that Chaucer, imprisoned for complicity in the insurrection of John of Northampton, had set himself free by betraying his accomplices. That a poet, one of whose leading qualities is his good sense and moderation, and who should seem to have practised his own rule, to

> "Fly from the press and dwell with soothfastness;
> Suffice unto thy good though it be small,"

should have been concerned in any such political excesses, was improbable enough; but that he should add to this the baseness of broken faith was incredible except to such as in a doubtful story

> "Demen gladly to the badder end."

Sir Harris Nicholas has proved by the records that the fabric is baseless, and we may now read the poet's fine verse,

> "Truth is the highest thing a man may keep,"

without a pang. We are thankful that Chaucer's shoulders are finally discharged of that weary load, "The Testament of

Love."* The later biographers seem inclined to make Chaucer a younger man at his death in 1400 than has hitherto been supposed. Herr Hertzberg even puts his birth so late as 1340. But, till more conclusive evidence is produced, we shall adhere to the received dates as on the whole more consonant with the probabilities of the case. The monument is clearly right as to the year of his death, and the chances are at least even that both this and the date of birth were copied from an older inscription. The only counter-argument that has much force is the manifestly unfinished condition of the Canterbury Tales. That a man of seventy odd could have put such a spirit of youth into those matchless prologues will not, however, surprise those who remember Dryden's second spring-time. It is plain that the notion of giving unity to a number of disconnected stories by the device which Chaucer adopted was an afterthought. These stories had been written, and some of them even published, at periods far asunder, and without any reference to connection among themselves. The prologues, and those parts which internal evidence justifies us in taking them to have been written after the thread of plan to string them on was conceived, are in every way more mature, — in knowledge of the world, in easy mastery of verse and language, and in the overpoise of sentiment by judgment. They may with as much probability be referred to a green old age as to the middle-life of a man who, upon any theory of the dates, was certainly slow in ripening.

The formation of a Chaucer Society, now four centuries and a half after the poet's death, gives suitable occasion for taking a new observation of him, as of a fixed star, not only in our own, but in the European literary heavens, "whose worth 's unknown although his height be taken." The admirable work now doing by this Society, whose establishment was mainly due to the pious zeal of Mr. Furnivall, deserves recognition

* Professor Child, the highest authority on such a question, doubts also the authenticity of the "Romaunt of the Rose," the "Court of Love," and the "Assembly of Foules." Mr. Bradshaw's judgment had arrived independently at the same result. To these doubtful productions there is strong ground, both moral and æsthetic, for adding the Parson's Tale.

from all who know how to value the too rare union of accurate scholarship with minute exactness in reproducing the text. The six-text edition of the Canterbury Tales, giving what is practically equivalent to six manuscript copies, is particularly deserving of gratitude from this side the water, as it for the first time affords to Americans the opportunity of independent critical study and comparison. This beautiful work is fittingly inscribed to our countryman, Professor Child, of Harvard, a lover of Chaucer, "so proved by his wordës and his werke," who has done more for the great poet's memory than any man since Tyrwhitt. We earnestly hope that the Society may find enough support to print all the remaining manuscript texts of importance, for there can hardly be any one of them that may not help us to a valuable hint. The works of M. Sandras and Herr Hertzberg show that this is a matter of interest not merely or even primarily to English scholars. The introduction to the latter is one of the best essays on Chaucer yet written, while the former, which is an investigation of the French and Italian sources of the poet, supplies us with much that is new and worth having as respects the training of the poet, and the obstacles of fashion and taste through which he had to force his way before he could find free play for his native genius or even so much as arrive at a consciousness thereof. M. Sandras is in every way a worthy pupil of the accomplished M. Victor Leclerc, and, though he lays perhaps a little too much stress on the indebtedness of Chaucer in particulars, shows a singularly intelligent and clear-sighted eye for the general grounds of his claim to greatness and originality. It is these grounds which I propose chiefly to examine here.

The first question we put to any poet, nay, to any so-called national literature, is that which Farinata addressed to Dante, *Chi fur li maggior tui?* Here is no question of plagiarism, for poems are not made of words and thoughts and images, but of that something in the poet himself which can compel them to obey him and move to the rhythm of his nature. Thus it is that the new poet, however late he come, can never be forestalled, and the shipbuilder who built the pinnace of Columbus has as much claim to the discovery of America as he who sug-

gests a thought by which some other man opens new worlds to us has to a share in that achievement by him unconceived and inconceivable. Chaucer undoubtedly began as an imitator, perhaps as mere translator, serving the needful apprenticeship in the use of his tools. Children learn to speak by watching the lips and catching the words of those who know how already, and poets learn in the same way from their elders. They import their raw material from any and everywhere, and the question at last comes down to this, — whether an author have original force enough to assimilate all he has acquired, or that be so overmastering as to assimilate *him*. If the poet turn out the stronger, we allow him to help himself from other people with wonderful equanimity. Should a man discover the art of transmuting metals and present us with a lump of gold as large as an ostrich-egg, would it be in human nature to inquire too nicely whether he had stolen the lead?

Nothing is more certain than that great poets are not sudden prodigies, but slow results. As an oak profits by the foregone lives of immemorial vegetable races that have worked-over the juices of earth and air into organic life out of whose dissolution a soil might gather fit to maintain that nobler birth of nature, so we may be sure that the genius of every remembered poet drew the forces that built it up out of the decay of a long succession of forgotten ones. Nay, in proportion as the genius is vigorous and original will its indebtedness be greater, will its roots strike deeper into the past and grope in remoter fields for the virtue that must sustain it. Indeed, if the works of the great poets teach anything, it is to hold mere invention somewhat cheap. It is not the finding of a thing, but the making something out of it after it is found, that is of consequence. Accordingly, Chaucer, like Shakespeare, invented almost nothing. Wherever he found anything directed to Geoffrey Chaucer, he took it and made the most of it. It was not the subject treated, but himself, that was the new thing. *Cela m'appartient de droit*, Molière is reported to have said when accused of plagiarism. Chaucer pays that "usurious interest which genius," as Coleridge says, "always pays in borrowing." The characteristic touch is his own. In the famous passage about the caged bird, copied from the "Romance of the Rose," the

"gan eten wormes" was added by him. We must let him, if he will, eat the heart out of the literature that had preceded him, as we sacrifice the mulberry-leaves to the silkworm, because he knows how to convert them into something richer and more lasting. The question of originality is not one of form, but of substance, not of cleverness, but of imaginative power. Given your material, in other words the life in which you live, how much can you see in it? For on that depends how much you can make of it. Is it merely an arrangement of man's contrivance, a patchwork of expediencies for temporary comfort and convenience, good enough if it last your time, or is it so much of the surface of that ever-flowing deity which we call Time, wherein we catch such fleeting reflection as is possible for us of our relation to perdurable things? This is what makes the difference between Æschylus and Euripides, between Shakespeare and Fletcher, between Goethe and Heine, between literature and rhetoric. Something of this depth of insight, if not in the fullest, yet in no inconsiderable measure, characterizes Chaucer. We must not let his playfulness, his delight in the world as mere spectacle, mislead us into thinking that he was incapable of serious purpose or insensible to the deeper meanings of life.

There are four principal sources from which Chaucer may be presumed to have drawn for poetical suggestion or literary culture, — the Latins, the Troubadours, the Trouvères, and the Italians. It is only the two latter who can fairly claim any immediate influence in the direction of his thought or the formation of his style. The only Latin poet who can be supposed to have influenced the spirit of mediæval literature is Ovid. In his sentimentality, his love of the marvellous and the picturesque, he is its natural precursor. The analogy between his Fasti and the versified legends of saints is more than a fanciful one. He was certainly popular with the poets of the thirteenth and fourteenth centuries. Virgil had wellnigh become mythical. The chief merit of the Provençal poets is in having been the first to demonstrate that it was possible to write with elegance in a modern dialect, and their interest for us is mainly as forerunners, as indications of tendency. Their literature is prophecy, not fulfilment. Its formal sentiment culminated in Laura, its ideal aspiration in Beatrice. Shakespeare's hundred

and sixth sonnet, if, for the imaginary mistress to whom it was addressed, we substitute the muse of a truer conception and more perfected utterance, represents exactly the feeling with which we read Provençal poetry: —

> "When in the chronicle of wasted Time
> I see descriptions of the fairest wights
> And beauty making beautiful old rhyme
> In praise of ladies dead and lovely knights,
> . . . . .
> I see their antique pen would have expressed
> Even such a beauty as you master now;
> So all their praises are but prophecies
> Of this our time, all you prefiguring,
> And, for they looked but with divining eyes,
> They had not skill enough your worth to sing."

It is astonishing how little of the real life of the time we learn from the Troubadours except by way of inference and deduction. Their poetry is purely lyric in its most narrow sense, that is, the expression of personal and momentary moods. To the fancy of critics who take their cue from tradition, Provençe is a morning sky of early summer, out of which innumerable larks rain a faint melody (the sweeter because rather half divined than heard too distinctly) over an earth where the dew never dries and the flowers never fade. But when we open Raynouard it is like opening the door of an aviary. We are deafened and confused by a hundred minstrels singing the same song at once, and more than suspect that the flowers they welcome are made of French cambric spangled with dew-drops of prevaricating glass. Bernard de Ventadour and Bertrand de Born are wellnigh the only ones among them in whom we find an original type. Yet the Troubadours undoubtedly led the way to refinement of conception and perfection of form. They were the conduit through which the failing stream of Roman literary tradition flowed into the new channel which mediæval culture was slowly shaping for itself. Without them we could not understand Petrarca, who carried the manufacture of artificial bloom and fictitious dew-drop to a point of excellence where artifice, if ever, may claim the praise of art. Without them we could not understand Dante, in whom their sentiment for woman was idealized by a passionate intellect and a profound

nature, till Beatrice becomes a half-human, half-divine abstraction, a woman still to memory and devotion, a disembodied symbol to the ecstasy of thought. The Provençal love-poetry was as abstracted from all sensuality as that of Petrarca, but it stops short of that larger and more gracious style of treatment which has secured him a place in all gentle hearts and refined imaginations forever. In it also woman leads her servants upward, but it is along the easy slopes of conventional sentiment, and no Troubadour so much as dreamed of that loftier region, native to Dante, where *the* woman is subtilized into *das Ewig-Weibliche*, type of man's finer conscience and nobler aspiration made sensible to him only through her.

On the whole, it would be hard to find anything more tediously artificial than the Provençal literature, except the reproduction of it by the Minnesingers. The *Tedeschi lurchi* certainly *did* contrive to make something heavy as dough out of what was at least light, if not very satisfying, in the canorous dialect of Southern Gaul. But its doom was inevitably predicted in its nature and position, nay, in its very name. It was, and it continues to be, a strictly *provincial* literature, imprisoned within extremely narrow intellectual and even geographical limits. It is not race or language that can inflict this leprous isolation, but some defect of sympathy with the simpler and more universal relations of human nature. You cannot shut up Burns in a dialect bristling with archaisms, nor prevent Béranger from setting all pulses a-dance in the least rhythmic and imaginative of modern tongues. The healthy temperament of Chaucer, with its breadth of interest in all ranks and phases of social life, could have found little that was sympathetic in the evaporated sentiment and rhetorical punctilios of a school of poets which, with rare exceptions, began and ended in courtly dilettantism.

The refined formality with which the literary product of Provençe is for the most part stamped, as with a trademark, was doubtless the legacy of Gallo-Roman culture, itself at best derivative and superficial. I think, indeed, that it may well be doubted whether Roman literature, always a half-hardy exotic, could ripen the seeds of living reproduction. The Roman genius was eminently practical, and far more apt for

the triumphs of politics and jurisprudence than of art. Supreme elegance it could and did arrive at in Virgil, but, if I may trust my own judgment, it produced but one original poet, and that was Horace, who has ever since continued the favorite of men of the world, an apostle to the Gentiles of the mild cynicism of middle-age and an after-dinner philosophy. Though in no sense national, he was, more truly than any has ever been since, till the same combination of circumstances produced Béranger, an urbane or city poet. Rome, with her motley life, her formal religion, her easy morals, her spectacles, her luxury, her suburban country-life, was his muse. The situation was new, and found a singer who had wit enough to turn it to account. There are a half-dozen pieces of Catullus unsurpassed (unless their Greek originals should turn up) for lyric grace and fanciful tenderness. The sparrow of Lesbia still pecks the rosy lips of his mistress, immortal as the eagle of Pindar. One profound imagination, one man, who with a more prosperous subject might have been a great poet, lifted Roman literature above its ordinary level of tasteful commonsense. The invocation of Venus, as the genetic force of nature, by Lucretius, seems to me the one sunburst of purely poetic inspiration which the Latin language can show. But this very force, without which *neque fit lætum neque amabile quicquam* was wholly wanting in those poets of the post-classic period, through whom the literary influences of the past were transmitted to the romanized provincials. The works of Ausonius interest us as those of our own Dwights and Barlows do. The "Conquest of Canaan" and the "Columbiad" were Connecticut epics no doubt, but were still better than nothing in their day. If not literature, they were at least memories of literature, and such memories are not without effect in reproducing what they regret. The provincial writers of Latin devoted themselves with a dreary assiduity to the imitation of models which they deemed classical, but which were truly so only in the sense that they were the more decorously respectful of the dead form in proportion as the living spirit had more utterly gone out of it. It is, I suspect, to the traditions of this purely rhetorical influence, indirectly exercised, that we are to attribute the rapid passage of the new Provençal poetry from what must have been its origi-

nal popular character to that highly artificial condition which precedes total extinction. It was the alienation of the written from the spoken language (always, perhaps, more or less malignly operative in giving Roman literature a cold-blooded turn as compared with Greek), which, ending at length in total divorce, rendered Latin incapable of supplying the wants of new men and new ideas. The same thing, I am strongly inclined to think, was true of the language of the Troubadours. It had become literary, and so far dead. It is true that no language is ever so far gone in consumption as to be beyond the great-poet-cure. Undoubtedly a man of genius can out of his own superabundant vitality compel life into the most decrepit vocabulary. But it is by the infusion of his own blood, as it were, and not without a certain sacrifice of power. No such rescue came for the *langue d'oc*, which, it should seem, had performed its special function in the development of modern literature, and would have perished even without the Albigensian war. The position of the Gallo-Romans of the South, both ethical and geographical, precluded them from producing anything really great or even original in literature, for that must have its root in a national life, and this they never had. After the Burgundian invasion their situation was in many respects analogous to our own after the Revolutionary War. They had been thoroughly romanized in language and culture, but the line of their historic continuity had been broken. The Roman road, which linked them with the only past they knew, had been buried under the great barbarian land-slide. In like manner we, inheriting the language, the social usages, the literary and political traditions of Englishmen, were suddenly cut adrift from our historical anchorage. Very soon there arose a demand for a native literature, nay, it was even proposed that, as a first step toward it, we should adopt a lingo of our own to be called the Columbian or Hesperian. This, to be sure, was never accomplished, though our English cousins seem to hint sometimes that we have made very fair advances toward it; but if it could have been, our position would have been precisely that of the Provençals when they began to have a literature of their own. They had formed a language which, while it completed their orphanage from their imperial mother, continually recalled her, and

kept alive their pride of lineage. Such reminiscences as they still retained of Latin culture were pedantic and rhetorical,* and it was only natural that out of these they should have elaborated a code of poetical jurisprudence with titles and subtitles applicable to every form of verse and tyrannous over every mode of sentiment. The result could not fail to be artificial and wearisome, except where some man with a truly lyrical genius could breathe life into the rigid formula and make it pliant to his more passionate feeling. The great service of the Provençals was that they kept in mind the fact that poetry was not merely an amusement, but an art, and long after their literary activity had ceased their influence reacted beneficially upon Europe through their Italian pupils. They are interesting as showing the tendency of the Romanic races to a scientific treatment of what, if it be not spontaneous, becomes a fashion and erelong an impertinence. Fauriel has endeavored to prove that they were the first to treat the mediæval heroic legends epically, but the evidence is strongly against him. The testimony of Dante on this point is explicit,† and moreover not a single romance of chivalry has come down to us in a dialect of the pure Provençal.

The Trouvères, on the other hand, are apt to have something *naïve* and vigorous about them, something that smacks of race and soil. Their very coarseness is almost better than the Troubadour delicacy, because it was not an affectation. The difference between the two schools is that between a culture pedantically transmitted and one which grows and gathers strength from natural causes. Indeed, it is to the North of France and to the Trouvères that we are to look for the true origins of our modern literature. I do not mean in their epical poetry, though there is something refreshing in the mere fact of their choos-

* Fauriel, Histoire de la Gaule Meridionale, Vol. I. *passim.*

† Allegat ergo pro se lingua *Oil* quod propter sui faciliorem et delectabiliorem vulgaritatem, quicquid redactum sive inventum est ad vulgare prosaicum, suum est; videlicet biblia cum Trojanorum, Romanorumque gestibus compilata et Arturi regis ambages pulcherrimæ et quamplures aliæ historiæ ac doctrinæ. That Dante by *prosaicum* did not mean prose, but a more inartificial verse, *numeros lege solutos*, is clear. Cf. Wolf, Ueber die Lais, pp. 92 *seq.* and notes. It has not, I think, been remarked that Dante borrows his *faciliorem et delectabiliorem* from the *plus diletable et comune* of his master Brunetto Latini.

ing native heroes and legends as the subjects of their song. It was in their *Fabliaux* and *Lais* that, dealing with the realities of the life about them, they became original and delightful in spite of themselves. Their *Chansons de Geste* are fine specimens of fighting Christianity, highly inspiring for men like Peire de Bergerac, who sings

> "Bel m'es can aug lo resso
> Que fai l'ausbercs ab l'arso,
> Li bruit e il crit e il masan
> Que il corn e las trombas fan"; *

but who after reading them — even the best of them, the Song of Roland — can remember much more than a cloud of battle-dust, through which the paladins loom dimly gigantic, and a strong verse flashes here and there like an angry sword? What are the *Roman d'avantures*, the cycle of Arthur and his knights, but a procession of armor and plumes, mere spectacle, not vision like their Grecian antitype, the Odyssey, whose pictures of life, whether domestic or heroic, are among the abiding consolations of the mind? An element of disproportion, of grotesqueness,† earmark of the barbarian, disturbs us, even when it does not disgust, in them all. Except the *Roland*, they all want adequate motive, and even in that we may well suspect a reminiscence of the Iliad. They are not without a kind of dignity, for manliness is always noble, and there are detached scenes that are striking, perhaps all the more so from their rarity, like the combat of Oliver and Fierabras, and the leave-taking of Parise la Duchesse. But in point of art they are far below even Firdusi, whose great poem is of precisely the same romantic type. The episode of Sohrab and Rustem as much surpasses the former of the passages just alluded to in largeness and energy of treatment, in the true epical quality, as the lament of Tehmine over her son does the latter of them in refined and natural pathos. In our revolt against pseudo-classicism we must not let our admiration for the vigor and freshness which are the merit of this old poetry

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* "My ears no sweeter music know
Than hauberk's clank with saddlebow,
The noise, the cries, the tumult blown
From trumpet and from clarion."

† Compare Floripar in *Fierabras* with Nausikäa, for example.

tempt us to forget that our direct literary inheritance comes to us from an ancestry who would never have got beyond the Age of Iron but for the models of graceful form and delicate workmanship which they found in the tombs of an earlier race.

The great advantages which the *langue d'oil* had over its sister dialect of the South of France were its wider distribution, and its representing the national and unitary tendencies of the people as opposed to those of provincial isolation. But the Trouvères had also this superiority, that they gave a voice to real and not merely conventional emotions. In comparison with the Troubadours their sympathies were more human, and their expression more popular. While the tiresome ingenuity of the latter busied itself chiefly in the filigree of wiredrawn sentiment and supersubtilized conceit, the former took their subjects from the street and the market as well as from the château. In the one case language had become a mere material for clever elaboration; in the other, as always in live literature, it was a soil from which the roots of thought and feeling unconsciously drew the coloring of vivid expression. The writers of French, by the greater pliancy of their dialect and the simpler forms of their verse, had acquired an ease which was impossible in the more stately and sharply angled vocabulary of the South. Their octosyllabics have not seldom a careless facility not unworthy of Swift in his best mood. They had attained the highest skill and grace in narrative, as the lays of Marie de France and the *Lai de l' Oiselet* bear witness.* Above all, they had learned how to brighten the hitherto monotonous web of story with the gayer hues of fancy.

It is no improbable surmise that the sudden and surprising development of the more strictly epical poetry in the North of France, and especially its growing partiality for historical in preference to mythical subjects, were due to the Normans. The poetry of the Danes was much of it authentic history, or what was believed to be so; the heroes of their Sagas were real men, with wives and children, with relations public and domestic, on the common levels of life, and not mere creatures of imagination, who dwell apart like stars from the vulgar cares and interests of men. If we compare Havelok with the

* If internal evidence may be trusted, the *Lai de l'Espine* is not hers.

least idealized figures of Carlovingian or Arthurian romance we shall have a keen sense of this difference. Manhood has taken the place of caste, and homeliness of exaggeration. Havelok says,—

> "Godwot, I will with thee gang
> For to learn some good to get;
> Swinken would I for my meat;
> It is no shame for to swinken."

This Dane, we see, is of our own make and stature, a being much nearer our kindly sympathies than his compatriot Ogier, of whom we are told,

> "Dix piès de lonc avoit le chevalier."

But however large or small share we may allow to the Danes in changing the character of French poetry and supplanting the Romance with the Fabliau, there can be little doubt either of the kind or amount of influence which the Normans must have brought with them into England. I am not going to attempt a definition of the Anglo-Saxon element in English literature, for generalizations are apt to be as dangerous as they are tempting. But as a painter may draw a cloud so that we recognize its general truth, though the boundaries of real clouds never remain the same for two minutes together, so amid the changes of feature and complexion brought about by commingling of race, there still remains a certain cast of physiognomy which points back to some one ancestor of marked and peculiar character. It is toward this type that there is always a tendency to revert, to borrow Mr. Darwin's phrase, and I think the general belief is not without some adequate grounds which in France traces this predominant type to the Kelt, and in England to the Saxon. In old and stationary communities, where tradition has a chance to take root, and where several generations are present to the mind of each inhabitant, either by personal recollection or transmitted anecdote, everybody's peculiarities, whether of strength or weakness, are explained and, as it were, justified upon some theory of hereditary bias. Such and such qualities he got from a grandfather on the spear or a great-uncle on the spindle side. This gift came in a right line from So-and-so; that failing came in by the dilution of the family blood with that of Such-a-one. In this way a certain

allowance is made for every aberration from some assumed normal type, either in the way of reinforcement or defect, and that universal desire of the human mind to have everything accounted for — which makes the moon responsible for the whimsies of the weathercock — is cheaply gratified. But as mankind in the aggregate is always wiser than any single man, because its experience is derived from a larger range of observation and experience, and because the springs that feed it drain a wider region both of time and space, there is commonly some greater or smaller share of truth in all popular prejudices. The meteorologists are beginning to agree with the old women that the moon *is* an accessary before the fact in our atmospheric fluctuations. Now, although to admit this notion of inherited good or ill to its fullest extent would be to abolish personal character, and with it all responsibility, to abdicate freewill, and to make every effort at self-direction futile, there is no inconsiderable alloy of truth in it, nevertheless. No man can look into the title-deeds of what may be called his personal estate, his faculties, his predilections, his failings, — whatever, in short, sets him apart as a capital I, — without something like a shock of dread to find how much of him is held in mortmain by those who, though long ago mouldered away to dust, are yet fatally alive and active in him for good or ill. What is true of individual men is true also of races, and the prevailing belief in a nation as to the origin of certain of its characteristics has something of the same basis in facts of observation as the village estimate of the traits of particular families. *Interdum vulgus rectum videt.*

We are apt, it is true, to talk rather loosely about our Anglo-Saxon ancestors, and to attribute to them in a vague way all the pith of our institutions and the motive power of our progress. For my own part, I think there is such a thing as being *too* Anglo-Saxon, and the warp and woof of the English national character, though undoubtedly two elements mainly predominate in it, is quite too complex for us to pick out a strand here and there, and affirm that the *body* of the fabric is of this or that. Our present concern with the Saxons is chiefly a literary one; but it leads to a study of general characteristics. What, then, so far as we can make it out, seems to be their leading mental

feature? Plainly, understanding, common sense, — a faculty which never carries its possessor very high in creative literature, though it may make him great as an acting and even thinking man. Take Dr. Johnson as an instance. The Saxon, as it appears to me, has never shown any capacity for art, nay, commonly commits ugly blunders when he is tempted in that direction. He has made the best working institutions and the ugliest monuments among the children of men. He is wanting in taste, which is as much as to say that he has no true sense of proportion. His genius is his *solidity*, — an admirable foundation of national character. He is healthy, in no danger of liver-complaint, with digestive apparatus of amazing force and precision. He is the best farmer and best grazier among men, raises the biggest crops and the fattest cattle, and consumes proportionate quantities of both. He settles and sticks like a diluvial deposit on the warm, low-lying levels, physical and moral. He has a prodigious talent, to use our Yankee phrase, of *staying put*. You cannot move him; he and rich earth have a natural sympathy of cohesion. Not quarrelsome, but with indefatigable durability of fight in him, sound of stomach, and not too refined in nervous texture, he is capable of indefinitely prolonged punishment, with a singularly obtuse sense of propriety in acknowledging himself beaten. Among all races perhaps none has shown so acute a sense of the side on which its bread is buttered, and so great a repugnance for having fine phrases take the place of the butyraceous principle. They invented the words "humbug," "cant," "sham," "gag," "soft-sodder," "flapdoddle," and other disenchanting formulas whereby the devil of falsehood and unreality gets his effectual *apage Satana!*

An imperturbable perception of the *real* relations of things is the Saxon's leading quality, — no sense whatever, or at best small, of the ideal in him. He has no notion that two and two ever make five, which is the problem the poet often has to solve. Understanding, that is, equilibrium of mind, intellectual good digestion, this, with unclogged biliary ducts, makes him mentally and physically what we call a very fixed fact; but you shall not find a poet in a hundred thousand square miles, — in many prosperous centuries of such. But one element of incal-

culable importance we have not mentioned. In this homely nature, the idea of God, and of a simple and direct relation between the All-Father and his children, is deeply rooted. There, above all, will he have honesty and simplicity; less than anything else will he have the sacramental wafer, — that beautiful emblem of our dependence on Him who giveth the daily bread; less than anything will he have this smeared with that Barmecide butter of fair words. This is the lovely and noble side of his character. Indignation at this will make him forget crops and cattle; and this, after so many centuries, will give him at last a poet in the monk of Eisleben, who shall cut deep on the memory of mankind that brief creed of conscience, — "Here am I: God help me: I cannot otherwise." This, it seems to me, with dogged sense of justice, — both results of that equilibrium of thought which springs from clear-sighted understanding, — makes the beauty of the Saxon nature.

He believes in another world, and conceives of it without metaphysical subtleties as something very much after the pattern of this, but infinitely more desirable. Witness the vision of John Bunyan. Once beat it into him that his eternal *well-being*, as he calls it, depends on certain conditions, that only so will the balance in the ledger of eternity be in his favor, and the man who seemed wholly of *this* world will give all that he has, even his life, with a superb simplicity and scorn of the theatric, for a chance in the next. Hard to move, his very solidity of nature makes him terrible when once fairly set agoing. He is the man of all others slow to admit the thought of revolution; but let him once admit it, he will carry it through and make it *stick*, — a secret hitherto undiscoverable by other races.

But poetry is not made out of the understanding; that is not the sort of block out of which you can carve wing-footed Mercuries. The question of common sense is always, "What is it good for?" — a question which would abolish the rose and be answered triumphantly by the cabbage. The danger of the prosaic type of mind lies in the stolid sense of superiority which blinds it to everything ideal, to the use of anything that does not serve the practical purposes of life. Do we not remember how the all-observing and all-fathoming Shakespeare

has typified this in Bottom the weaver? Surrounded by all the fairy creations of fancy, he sends one to fetch him the bag of a humble-bee, and can find no better employment for Mustard-seed than to help Cavalero Cobweb scratch his ass's head between the ears. When Titania, queen of that fair ideal world, offers him a feast of beauty, he says he has a good stomach to a pottle of hay!

The Anglo-Saxons never had any real literature of their own. They produced monkish chronicles in bad Latin, and legends of saints in worse metre. Their earlier poetry is essentially Scandinavian. It was that *gens inclytissima Northmannorum* that imported the divine power of imagination, — that power which, mingled with the solid Saxon understanding, produced at last the miracle of Stratford. It was to this adventurous race, which found America before Columbus, which, for the sake of freedom of thought, could colonize inhospitable Iceland, which, as it were, typifying the very action of the imaginative faculty itself, identified itself always with what it conquered, that we owe whatever aquiline features there are in the national physiognomy of the English race. It was through the Normans that the English mind and fancy, hitherto provincial and uncouth, were first infused with the lightness, grace, and self-confidence of Romance literature. They seem to have opened a window to the southward in that solid and somewhat sombre insular character, and it was a painted window all aglow with the figures of tradition and poetry. The old Gothic volume, grim with legends of devilish temptation and satanic lore, they illuminated with the gay and brilliant inventions of a softer climate and more genial moods. Even the stories of Arthur and his knights, toward which the stern Dante himself relented so far as to call them *gratissimas ambages*, most delightful circumlocutions, though of British original, were first set free from the dungeon of a barbarous dialect by the French poets, and so brought back to England, and made popular there by the Normans.

Chaucer, to whom French must have been almost as truly a mother tongue as English, was familiar with all that had been done by Troubadour or Trouvère. In him we see the first result of the Norman yeast upon the home-baked Saxon loaf.

The flour had been honest, the paste well-kneaded, but the inspiring leaven was wanting till the Norman brought it over. Chaucer works still in the solid material of his race, but with what airy lightness has he not infused it? Without ceasing to be English, he has escaped from being insular. But he was something more than this; he was a scholar, a thinker, and a critic. He had studied the *Divina Commedia* of Dante, he had read Petrarca and Boccaccio, and some of the Latin poets. He calls Dante the great poet of Italy, and Petrarch a learned clerk. It is plain that he knew very well the truer purpose of poetry, and had even arrived at the higher wisdom of comprehending the aptitudes and limitations of his own genius. He saw clearly and felt keenly what were the faults and what the wants of the prevailing literature of his country. In the Monk's Tale he slyly satirizes the long-winded morality of Gower, as his prose antitype, Fielding, was to satirize the prolix sentimentality of Richardson. In the rhyme of Sir Thopas he gives the *coup de grace* to the romances of Chivalry, and in his own choice of a subject he heralds that new world in which the actual and the popular were to supplant the fantastic and heroic.

With the single exception of Piers Ploughman, the English poets, his contemporaries, were little else than bad versifiers of legends classic or mediæval, as happened, without selection and without art. Chaucer is the first who broke away from the dreary traditional style, and gave not merely stories, but lively *pictures* of real life as the ever-renewed substance of poetry. He was a reformer, too, not only in literature, but in morals. But as in the former his exquisite tact saved him from all eccentricity, so in the latter the pervading sweetness of his nature could never be betrayed into harshness and invective. He seems incapable of indignation. He mused good-naturedly over the vices and follies of men, and, never forgetting that he was fashioned of the same clay, is rather apt to pity than condemn. There is no touch of cynicism in all he wrote. Dante's brush seems sometimes to have been smeared with the burning pitch of his own fiery lake. Chaucer's pencil is dipped in the cheerful color-box of the old illuminators, and he has their patient delicacy of touch, with a freedom far beyond their somewhat mechanic brilliancy.

English narrative poetry, as Chaucer found it, though it had not altogether escaped from the primal curse of long-windedness so painfully characteristic of its prototype, the French Romance of Chivalry, had certainly shown a feeling for the picturesque, a sense of color, a directness of phrase, and a simplicity of treatment which give it graces of its own and a turn peculiar to itself. In the easy knack of story-telling, the popular minstrels cannot compare with Marie de France. The lightsomeness of fancy, that leaves a touch of sunshine and is gone, is painfully missed in them all. Their incidents enter dispersedly, as the old stage directions used to say, and they have not learned the art of concentrating their force on the key-point of their hearers' interest. But they sometimes yield to an instinctive hint of leaving-off at the right moment, and in their happy negligence achieve an effect only to be matched by the highest successes of art.

> "That lady heard his mourning all
> Right under her chamber wall,
> In her oriel where she was,
> Closëd well with royal glass;
> Fulfilled it was with imagery
> Every window, by and by;
> On each side had there a gin
> Sperred [closed] with many a divers pin;
> Anon that lady fair and free
> Undid a pin of ivory
> And wide the window she open set, —
> The sun shone in at her closet."

It is true the old rhymer relapses a little into the habitual drone of his class, and shows half a mind to bolt into their common inventory style when he comes to his *gins* and *pins*, but he withstands the temptation manfully, and his sunshine fills our hearts with a gush as sudden as that which illumines the lady's oriel. Coleridge and Keats have each in his way felt the charm of this winsome picture, but have hardly equalled its hearty honesty, its economy of material, the supreme test of artistic skill. I admit that the phrase "*had* there a gin" is suspicious, and suggests a French original, but I remember nothing altogether so good in the romances from the other side of the Channel. One more passage occurs to me almost incomparable in its simple straightforward force and choice of the right word.

> "Sir Graysteel to his death thus thraws,
> He welters [wallows] and the grass updraws;
> . . . . .
> A little while then lay he still,
> (Friends that saw him liked full ill,)
> And bled into his armor bright."

The last line, for suggestive reticence, almost deserves to be put beside the famous

> "Quel giorno più non vi leggemmo avante"

of the great master of laconic narration. In the same poem* the growing love of the lady, in its maidenliness of unconscious betrayal, is touched with a delicacy and tact as surprising as they are delightful. But such passages, which are the despair of poets who have to work in a language that has faded into diction, are exceptional. They are to be set down rather to good luck than art. Even the stereotyped similes of these fortunate illiterates, like "weary as water in a weir," or "glad as grass is of the rain," are new, like nature, at the thousandth repetition. Perhaps our palled taste overvalues the wild flavor of these wayside treasure-troves. They are wood-strawberries, prized in proportion as we must turn over more leaves ere we find one. This popular literature is of value in helping us toward a juster estimate of Chaucer by showing what the mere language was capable of, and that all it wanted was a poet to put it through its paces. For, though the poems I have quoted be, in their present form, later than he, they are, after all, but modernized versions of older copies, which they doubtless reproduce with substantial fidelity.

It is commonly assumed that Chaucer did for English what Dante is supposed to have done for Italian and Luther for German, that he, in short, in some hitherto inexplicable way, created it. But this is to speak loosely and without book. Languages are never made in any such fashion, still less are they the achievement of any single man, however great his genius, however powerful his individuality. They shape themselves by laws as definite as those which guide and limit the growth of other living organisms. Dante, indeed, has told us that he chose to write in the tongue that might be learned of nurses

* *Sir Eger and Sir Grine* in the Percy Folio. The passage quoted is from Ellis.

and chafferers in the market. His practice shows that he knew perfectly well that poetry has needs which cannot be answered by the vehicle of vulgar commerce between man and man. What he instinctively felt was, that there was the living heart of all speech, without whose help the brain were powerless to send will, motion, meaning, to the limbs and extremities. But it is true that a language, as respects the uses of literature, is liable to a kind of syncope. No matter how complete its vocabulary may be, how thorough an outfit of inflections and case-endings it may have, it is a mere dead body without a soul till some man of genius set its arrested pulses once more athrob, and show what wealth of sweetness, scorn, persuasion, and passion lay there awaiting its liberator. In this sense it is hardly too much to say that Chaucer, like Dante, found his native tongue a dialect and left it a language. But it was not what he did with deliberate purpose of reform, it was his kindly and plastic genius that wrought this magic of renewal and inspiration. It was not the new words he introduced,* but his way of using the old ones, that surprised them into grace, ease, and dignity in their own despite. In order to feel fully how much he achieved, let any one subject himself to a penitential course of reading in his contemporary, Gower, who worked in a material to all intents and purposes the same, or listen for a moment to the barbarous jangle which Lydgate and Occleve contrive to draw from the instrument their master had tuned so deftly. Gower has positively raised tediousness to the precision of science, he has made dulness an heirloom for the students of our literary history. As you slip to and fro on the frozen levels of his verse, which give no foothold to the mind, as your nervous ear awaits the inevitable recurrence of his rhyme, regularly pertinacious as the tick of an eight-day clock and reminding you of Wordsworth's

> "Once more the ass did lengthen out
> The hard, dry, seesaw of his horrible bray,"

you learn to dread, almost to respect, the powers of this indefatigable man. He is the undertaker of the fair mediæval legend, and his style has the hateful gloss, the seemingly unnatural length, of a coffin. Love, beauty, passion, nature, art,

* I think he tried one now and then, like "eyen *columbine*."

life, the natural and theological virtues, — there is nothing beyond his power to disenchant, nothing out of which the tremendous hydraulic press of his allegory (or whatever it is, for I am not sure if it be not something even worse) will not squeeze all feeling and freshness and leave it a juiceless pulp. It matters not where you try him, whether his story be Christian or pagan, borrowed from history or fable, you cannot escape him. Dip in at the middle or the end, dodge back to the beginning, the patient old man is there to take you by the button and go on with his imperturbable narrative. You may have left off with Clytemnestra, and you begin again with Samson; it makes no odds, for you cannot tell one from tother. His tediousness is omnipresent, and like Dogberry he could find in his heart to bestow it all (and more if he had it) on your worship. The word *lengthy* has been charged to our American account, but it must have been invented by the first reader of Gower's works, the only inspiration of which they were ever capable. Our literature had to lie by and recruit for more than four centuries ere it could give us an equal vacuity in Tupper, so persistent a uniformity of commonplace in the Recreations of a Country Parson. Let us be thankful that the industrious Gower never found time for recreation!

But a fairer as well as more instructive comparison lies between Chaucer and the author of Piers Ploughman. Langland has as much tenderness, as much interest in the varied picture of life, as hearty a contempt for hypocrisy, and almost an equal sense of fun. He has the same easy abundance of matter. But what a difference! It is the difference between the poet and the man of poetic temperament. The abundance of the one is a continual fulness within the fixed limits of good taste; that of the other is squandered in overflow. The one can be profuse on occasion; the other is diffuse whether he will or no. The one is full of talk; the other is garrulous. What in one is the refined *bonhomie* of a man of the world, is a rustic shrewdness in the other. Both are kindly in their satire, and have not (like too many reformers) that vindictive love of virtue which spreads the stool of repentance with thistle-burrs before they invite the erring to seat themselves therein. But what in Piers Ploughman is sly fun, has the breadth and depth of humor in Chaucer;

and it is plain that while the former was taken up by his moral purpose, the main interest of the latter turned to perfecting the form of his work. In short, Chaucer had that fine literary sense which is as rare as genius, and, united with it, as it was in him, assures an immortality of fame. It is not merely what he has to say, but even more the agreeable way he has of saying it, that captivates our attention and gives him an assured place in literature. Above all, it is not in detached passages that his charm lies, but in the entirety of expression and the cumulative effect of many particulars working toward a common end. Now though *ex ungue leonem* be a good rule in comparative anatomy, its application, except in a very limited way, in criticism is sure to mislead; for we should always bear in mind that the really great writer is great in the mass, and is to be tested less by his cleverness in the elaboration of parts than by that *reach* of mind which is incapable of random effort, which selects, arranges, combines, rejects, denies itself the cheap triumph of immediate effects, because it is absorbed by the controlling charm of proportion and unity. A careless good-luck of phrase is delightful; but criticism cleaves to the teleological argument, and distinguishes the creative intellect, not so much by any happiness of natural endowment as by the marks of design. It is true that one may sometimes discover by a single verse whether an author have imagination, or may make a shrewd guess whether he have style or no, just as by a few spoken words you may judge of a man's accent; but the true artist in language is never spotty, and needs no guide-boards of admiring italics, a critical method introduced by Leigh Hunt, whose feminine temperament gave him acute perceptions at the expense of judgment. This is the Bœotian method, which offers us a brick as a sample of the house, forgetting that it is not the goodness of the separate bricks, but the way in which they are put together, that brings them within the province of art, and makes the difference between a heap and a house. A great writer does not reveal himself here and there, but everywhere. Langland's verse runs mostly like a brook, with a beguiling and wellnigh slumberous prattle, but he, more often than any writer of his class, flashes into salient lines, gets inside our guard with the home-thrust of a

forthright word, and he gains if taken piecemeal. His imagery is naturally and vividly picturesque, as where he says of Old Age,—

> "Eld the hoar
> That was in the vauntward,
> And bare the banner before death,"—

and he softens to a sweetness of sympathy beyond Chaucer when he speaks of the poor or tells us that Mercy is "sib of all sinful"; but to compare Piers Ploughman with the Canterbury Tales is to compare sermon with song.

Let us put a bit of Langland's satire beside one of Chaucer's. Some people in search of Truth meet a pilgrim and ask him whence he comes. He gives a long list of holy places, appealing for proof to the relics on his hat:—

> "'I have walked full wide in wet and in dry
> And sought saints for my soul's health.'
> 'Know'st thou ever a relic that is called Truth?
> Couldst thou show us the way where that wight dwelleth?'
> 'Nay, so God help me,' said the man then,
> 'I saw never palmer with staff nor with scrip
> Ask after him ever till now in this place.'"

This is a good hit, and the poet is satisfied; but, in what I am going to quote from Chaucer, everything becomes picture, over which lies broad and warm the sunshine of humorous fancy.

> "In oldë dayës of the King Artour
> Of which that Britouns speken gret honour,
> All was this lond fulfilled of fayerie:
> The elf-queen with her joly compaignie
> Dancëd ful oft in many a grenë mede:
> This was the old opinion as I rede;
> I speke of many hundrid yer ago:
> But now can no man see none elvës mo,
> For now the gretë charite and prayëres
> Of lymytours and other holy freres
> That sechen every lond and every streem,
> As thick as motis in the sonnëbeam,
> Blessyng halles, chambres, kichenës, and boures,
> Citees and burghës, castels hihe and toures,
> Thorpës and bernes, shepnes and dayeries,
> This makith that ther ben no fayeries.
> For ther as wont to walken was an elf
> There walkith none but the lymytour himself,
> In undermelës and in morwenynges,

> And sayth his matyns and his holy thinges,
> As he goth in his lymytatioun.
> Wommen may now go saufly up and doun;
> In every bush or under every tre
> There is none other incubus but he,
> And he ne wol doon hem no dishonóur."

How cunningly the contrast is suggested here between the Elf-queen's jolly company and the unsocial limiters, thick as motes in the sunbeam, yet each walking by himself! Even Shakespeare, who seems to come in after everybody has done his best with a "Let me take hold a minute and show you how to do it," could not have bettered this.

Piers Ploughman is the best example I know of what is called popular poetry, — of compositions, that is, which contain all the simpler elements of poetry, but still in solution, not crystallized around any thread of artistic purpose. In it appears at her best the Anglo-Saxon Muse, a first cousin of Poor Richard, full of proverbial wisdom, who always brings her knitting in her pocket, and seems most at home in the chimney-corner. It is genial; it plants itself firmly on human nature with its rights and wrongs; it has a surly honesty, prefers the downright to the gracious, and conceives of speech as a tool rather than a musical instrument. If we should seek for a single word that would define it most precisely, we should not choose simplicity, but homeliness. There is more or less of this in all early poetry, to be sure; but I think it especially proper to English poets, and to the most English among them, like Cowper, Crabbe, and one is tempted to add Wordsworth, — where he forgets Coleridge's private lectures. In reading such poets as Langland, also, we are not to forget a certain charm of distance in the very language they use, making it unhackneyed without being alien. As it is the chief function of the poet to make the familiar novel, these fortunate early risers of literature, who gather phrases with the dew still on them, have their poetry done for them, as it were, by their vocabulary. But in Chaucer, as in all great poets, the language gets its charm from him. The force and sweetness of his genius kneaded more kindly together the Latin and Teutonic elements of our mother-tongue, and made something better than

either. The necessity of writing poetry, and not mere verse, made him a reformer whether he would or no; and the instinct of his finer ear was a guide such as none before him or contemporary with him, nor indeed any that came after him, till Spenser, could command. Gower had no notion of the uses of rhyme except as a kind of crease at the end of every eighth syllable, where the verse was to be folded over again into another layer. He says, for example,

> "This maiden Canacee was hight,
> Both in the day and eke by night,"

as if people commonly changed their names at dark. And he could not even contrive to say this without the clumsy pleonasm of *both* and *eke*. Chaucer was put to no such shifts of piecing out his metre with loose-woven bits of baser stuff. He himself says, in the Man of Law's Tale,—

> "Me lists not of the chaff nor of the straw
> To make so long a tale as of the corn."

One of the world's three or four great story-tellers, he was also one of the best versifiers that ever made English trip and sing with a gayety that seems careless, but where every foot beats time to the tune of the thought. By the skilful arrangement of his pauses he evaded the monotony of the couplet, and gave to the rhymed pentameter, which he made our heroic measure, something of the architectural repose of blank verse. He found our language lumpish, stiff, unwilling, too apt to speak Saxonly in grouty monosyllables; he left it enriched with the longer measure of the Italian and Provençal poets. He reconciled, in the harmony of his verse, the English bluntness with the dignity and elegance of the less homely Southern speech. Though he did not and could not create our language (for he who writes to be read does not write for linguisters), yet it is true that he first made it easy, and to that extent modern, so that Spenser, two hundred years later, studied his method and called him master. He first wrote *English;* and it was a feeling of this, I suspect, that made it fashionable in Elizabeth's day to "talk pure Chaucer." Already we find in his works verses that might pass without question in Milton or even Wordsworth, so mainly unchanged have the language of poetry and the movement of verse remained from his day to our own.

"Thou Polymnia
On Pérnaso, that, with * thy sisters glad,
By Helicon, not far from Cirrea,
Singest with voice memorial in the shade,
Under the laurel which that may not fade."

"And downward from a hill under a bent
There stood the temple of Mars omnipotent
Wrought all of burnëd steel, of which th' entrée
Was long and strait and ghastly for to see:
The northern light in at the doorës shone
For window in the wall ne was there none
Through which men mighten any light discerne;
The dore was all of adamant eterne."

And here are some lines that would not seem out of place in the Paradise of Dainty Devises: —

"Hide, Absolom, thy giltë [gilded] tresses clear,
Esther lay thou thy meekness all adown.
. . . . .
Make of your wifehood no comparison;
Hide ye your beauties Ysoude and Elaine,
My lady cometh, that all this may distain."

When I remember Chaucer's malediction upon his scrivener, and consider that by far the larger proportion of his verses (allowing always for change of pronunciation) are perfectly accordant with our present accentual system, I cannot believe that he ever wrote an imperfect line. His ear would never have tolerated the verses of nine syllables, with a strong accent on the first, attributed to him by Mr. Skeate and Mr. Morris. Such verses seem to me simply impossible in the pentameter iambic as Chaucer wrote it. A great deal of misapprehension would be avoided in discussing English metres, if it were only understood that quantity in Latin and quantity in English mean very different things. Perhaps the best quantitative verses in our language (even better than Coleridge's) are to be found in Mother Goose, composed by nurses wholly by ear and beating time as they danced the baby on their knee. I suspect Chaucer and Shakespeare would be surprised into a smile by the learned arguments which supply their halting verses with every kind of excuse except that of

* Commonly printed *hath*.

being readable. When verses were written to be chanted, more license could be granted, for the ear tolerates the widest deviations from habitual accent in words that are sung. *Segnius irritant demissa per aurem.* To some extent the same thing is true of anapæstic and other tripping measures, but we cannot admit it in marching tunes like those of Chaucer. He wrote for the eye more than for the voice, as poets had begun to do long before.* Some loose talk of Coleridge, loose in spite of its affectation of scientific precision, about "retardations" and the like, has misled many honest persons into believing that they can make good verse out of bad prose. Coleridge himself, from natural fineness of ear, was the best metrist among modern English poets, and, read with proper allowances, his remarks upon versification are always instructive to whoever is not rhythm-deaf. But one has no patience with the dyspondæuses, the pæon primuses, and what not, with which he darkens verses that are to be explained only by the contemporary habits of pronunciation. Till after the time of Shakespeare we must always bear in mind that it is not a language of books but of living speech that we have to deal with. Of this language Coleridge had little knowledge, except what could be acquired through the ends of his fingers as they lazily turned the leaves of his haphazard reading. If his eye was caught by a single passage that gave him a chance to theorize he did not look farther. Speaking of Massinger, for example, he says, "When a speech is interrupted, or one of the characters speaks aside, the last

* Froissart's description of the book of traités amoureux et de moralité, which he had had engrossed for presentation to Richard II. in 1394, is enough to bring tears to the eyes of a modern author. "Et lui plut très grandement; et plaire bien lui devoit car il était enluminé, écrit et historié et couvert de vermeil velours à dis cloux d'argent dorés d'or, et roses d'or au milieu, et à deux grands fremaulx dorés et richement ouvrés au milieu de rosiers d'or." How lovingly he lingers over it, hooking it together with *et* after *et!* But two centuries earlier, while the *jongleurs* were still in full song, poems were also read aloud.

> "Pur remembrer des ancessours
> Les faits et les dits et les mours,
> Deit l'en les livres et les gestes
> Et les estoires *lire a festes.*"
>
> *Roman du Rou.*

But Chaucer wrote for the private reading of the closet.

syllable of the former speech and first of the succeeding Massinger counts for one, because both are supposed to be spoken at the same moment.

> 'And felt the sweetness *of't*
> '*How* her mouth runs over.'"

Now fifty instances may be cited from Massinger which tell against this fanciful notion, for one that seems, and only seems, in its favor. Any one tolerably familiar with the dramatists knows that in the passage quoted by Coleridge, the *how* being emphatic, "*how her*" was pronounced *how 'r*. He tells us that "Massinger is fond of the anapæst in the first and third foot, as: —

> 'Tŏ yoŭr mōre | thăn mās|cŭlinĕ rēa|sŏn thāt | cŏmmānds 'ĕm ‖.'

Likewise of the second pæon (⏑ – – –) in the first foot, followed by four trochees (– ⏑), as: —

> 'Sŏ grēēdĭlў | lōng fŏr, | knōw theĭr | tītĭll|ātiŏns.'"

In truth, he was no fonder of them than his brother dramatists who, like him, wrote for the voice by the ear. "To your" is still one syllable in ordinary speech, and "masculine" and "greedily" were and are dissyllables or trisyllables according to their place in the verse. Coleridge was making pedantry of a very simple matter. Yet he has said with perfect truth of Chaucer's verse, "Let a few plain rules be given for sounding the final *è* of syllables, and for expressing the terminations of such words as *ocëan* and *natiŏn*, &c., as dissyllables, — or let the syllables to be sounded in such cases be marked by a competent metrist. This simple expedient would, with a very few trifling exceptions, where the errors are inveterate, enable any one to feel the perfect smoothness and harmony of Chaucer's verse." But let us keep widely clear of Latin and Greek terms of prosody! It is also more important here than even with the dramatists of Shakespeare's time to remember that we have to do with a language caught more from the ear than from books. The best school for learning to understand Chaucer's elisions, compressions, slurrings-over and running-together of syllables is to listen to the habitual speech of rustics with whom language is still plastic to meaning, and hurries or prolongs itself accordingly. Here is a con-

traction frequent in Chaucer, and still common in New England:

"But me were lever than [lever 'n] all this town, quod he."

Let one example suffice for many. To Coleridge's rules another should be added by a wise editor; and that is to restore the final *n* in the infinitive and third person plural of verbs, and in such other cases as can be justified by the authority of Chaucer himself. Surely his ear could never have endured the sing-song of such verses as

"I couthe telle for a gowne-cloth,"

or

"Than ye to me schuld breke youre trouthe."

Chaucer's measure is so uniform (making due allowances) that words should be transposed or even omitted where the verse manifestly demands it, — and with copyists so long and dull of ear this is often the case. Sometimes they leave out a needful word: —

"But er [the] thunder stynte, there cometh rain,"
"When [that] we ben yflattered and ypraised,"
"Tak [ye] him for the greatest gentleman."

Sometimes they thrust in a word or words that hobble the verse: —

"She trowed he were yfel in [some] maladie,"
"Ye faren like a man [that] had lost his wit,"
"Then have I got of you the maystrie, quod she,"
(Then have I got the maystery, quod she,)
"And quod the jugë [also] thou must lose thy head."

Sometimes they give a wrong word identical in meaning: —

"And therwithal he knew [couthë] no proverbes."

Sometimes they change the true order of the words: —

"Therefore no woman of clerkës is [is of clerkës] praised'
"His felaw lo, here he stont [stont he] hool on live."

"He that covèteth is a porë wight
For he wold have that is not in his might;
But he that nought hath ne coveteth nought to have."

Here the "but" of the third verse belongs at the head of the first, and we get rid of the anomaly of "coveteth" differently accented within two lines. Nearly all the seemingly unmetrical verses may be righted in this way. One often finds such changes made by ear justified by the readings in other texts,

and we cannot but hope that the Chaucer Society will give us the means of at last settling upon a version which shall make the poems of one of the most fluent of metrists at least readable. Let any one compare the Franklin's Tale in the Aldine edition with the text given by Wright, and he will find both sense and metre clear themselves up in a surprising way. A careful collation of texts, by the way, confirms one's confidence in Tyrwhytt's good taste and thoroughness.

I will give one more example of his verse, again making my selection from one of his less mature works. He is speaking of Tarquin: —

> "And ay the morë he was in despair
> The more he coveted and thought her fair;
> His blindë lust was all his coveting.
> On morrow when the bird began to sing
> Unto the siege he cometh full privily
> And by himself he walketh soberly
> The imáge of her recording alway new:
> Thus lay her hair, and thus fresh was her hue,
> Thus sate, thus spake, thus span, this was her cheer,
> Thus fair she was, and this was her manére.
> All this conceit his heart hath new ytake,
> And as the sea, with tempest all toshake,
> That after, when the storm is all ago,
> Yet will the water quap a day or two,
> Right so, though that her formë were absént,
> The pleasance of her formë was presént."

And this passage leads me to say a few words of Chaucer as a descriptive poet; for I think it a great mistake to attribute to him any properly dramatic power, as some have done. Even Herr Hertzberg, in his remarkably intelligent essay, is led a little astray on this point by his enthusiasm. Chaucer is a great narrative poet; and, in this species of poetry, though the author's personality should never be obtruded, it yet unconsciously pervades the whole, and communicates an individual quality, — a kind of flavor of its own. This very quality, and it is one of the highest in its way and place, would be fatal to all dramatic force. The narrative poet is occupied with his characters as picture, with their grouping, even their costume, it may be, and he feels for and with them instead of being they for the moment, as the

dramatist must always be. The story-teller must possess the situation perfectly in all its details, while the imagination of the dramatist must be possessed and mastered by it. The latter puts before us the very passion or emotion itself in its utmost intensity; the former gives them, not in their primary form, but in that derivative one which they have acquired by passing through his own mind and being modified by his reflection. The deepest pathos of the drama, like the "prithee, undo this button" with which Shakespeare tells us that Lear's heart is bursting, is sudden as a stab, while in narrative it is more or less suffused with pity, — a feeling capable of prolonged sustention. This presence of the author's own sympathy is noticeable in all Chaucer's pathetic passages, as, for instance, in the lamentation of Constance over her child in the Man of Law's Tale. When he comes to the sorrow of his story, he seems to croon over his thoughts, to soothe them and dwell upon them with a kind of pleased compassion, as a child treats a wounded bird which he fears to grasp too tightly, and yet cannot make up his heart wholly to let go. It is true also of his humor that it pervades his comic tales like sunshine, and never dazzles the attention by a sudden flash. Sometimes he brings it in parenthetically, and insinuates a sarcasm so slyly as almost to slip by without our notice, as where he satirizes provincialism by the cock

> "Who knew by nature each ascensiön
> Of the equinoctial in his native town."

Sometimes he turns round upon himself and smiles at a trip he has made into fine writing: —

> "Till that the brightë sun had lost his hue,
> For th' orisont had reft the sun his light,
> (This is as much to sayen as 'it was night.')"

Nay, sometimes it twinkles roguishly through his very tears, as in the

> "'Why wouldest thou be dead,' these women cry,
> 'That haddest gold enough — and Emily?'"

that follows so close upon the profoundly tender despair of Arcite's farewell: —

> "What is this world? What asken men to have?
> Now with his love now in the coldë grave
> Alone withouten any company!"

The power of diffusion without being diffuse would seem to be the highest merit of narration, giving it that easy flow which is so delightful. Chaucer's descriptive style is remarkable for its lowness of tone, — for that combination of energy with simplicity which is among the rarest gifts in literature. Perhaps all is said in saying that he has style at all, for that consists mainly in the absence of undue emphasis and exaggeration, in the clear uniform pitch which penetrates our interest and retains it, where mere loudness would only disturb and irritate.

Not that Chaucer cannot be intense, too, on occasion; but it is with a quiet intensity of his own, that comes in as it were by accident.

> "Upon a thickë palfrey, paper-white,
> With saddle red embroidered with delight,
> Sits Dido:
> And she is fair as is the brightë morrow
> That healeth sickë folk of nightës sorrow.
> Upon a courser startling as the fire,
> Æneas sits."

Pandarus, looking at Troilus,

> "Took up a light and found his countenance
> As for to look upon an old romance."

With Chaucer it is always the thing itself and not the description of it that is the main object. His picturesque bits are incidental to the story, glimpsed in passing; they never stop the way. His key is so low that his high lights are never obtrusive. His imitators, like Leigh Hunt, and Keats in his Endymion, missing the nice gradation with which the master toned everything down, become streaky. Hogarth, who reminds one of him in the variety and natural action of his figures, is like him also in the subdued brilliancy of his coloring. When Chaucer condenses, it is because his conception is vivid. He does not need to personify Revenge, for personification is but the subterfuge of unimaginative and professional poets; but he embodies the very passion itself in a verse that makes us glance over our shoulder as if we heard a stealthy tread behind us: —

> "The smiler with the knife hid under the cloak." *

* Compare this with the Mumbo-Jumbo Revenge in Collins's Ode.

And yet how unlike is the operation of the imaginative faculty in him and Shakespeare! When the latter describes, his epithets imply always an impression on the moral sense (so to speak) of the person who hears or sees. The sun "flatters the mountain-tops with sovereign eye"; the bending "weeds lacquey the dull stream"; the shadow of the falcon "coucheth the fowl below"; the smoke is "helpless"; when Tarquin enters the chamber of Lucrece "the threshold grates the door to have him heard." His outward sense is merely a window through which the metaphysical eye looks forth, and his mind passes over at once from the simple sensation to the complex *meaning* of it, — feels *with* the object instead of merely feeling it. His imagination is forever dramatizing. Chaucer gives only the direct impression made on the eye or ear. He was the first great poet who really loved outward nature as the source of conscious pleasurable emotion. The Troubadour hailed the return of spring; but with him it was a piece of empty ritualism. Chaucer took a true delight in the new green of the leaves and the return of singing birds, — a delight as simple as that of Robin Hood: —

> "In summer when the shaws be sheen
> And leaves be large and long,
> It is full merry in fair forest
> To hear the small birds' song."

He has never so much as heard of the "burthen and the mystery of all this unintelligible world." His flowers and trees and birds have never bothered themselves with Spinoza. He himself sings more like a bird than any other poet, because it never occurred to him, as to Goethe, that he ought to do so. He pours himself out in sincere joy and thankfulness. When we compare Spenser's imitations of him with the original passages we feel that the delight of the later poet was more in the expression than the thing itself. Nature with him is only good to be transfigured by art. We walk among Chaucer's sights and sounds; we listen to Spenser's musical reproduction of them. In the same way, the pleasure which Chaucer takes in telling his stories has in itself the effect of consummate skill, and makes us follow all the windings of his fancy with sympathetic interest. His best tales run on like one of our inland rivers, some-

times hastening a little and turning upon themselves in eddies that dimple without retarding the current; sometimes loitering smoothly, while here and there a quiet thought, a tender feeling, a pleasant image, a golden-hearted verse, opens quietly as a water-lily, to float on the surface without breaking it into ripple. The vulgar intellectual palate hankers after the titillation of foaming phrase, and thinks nothing good for much that does not go off with a pop like a champagne cork. The mellow suavity of more precious vintages seems insipid; but the taste, in proportion as it refines, learns to appreciate the indefinable flavor, too subtile for analysis. A manner has prevailed of late in which every other word seems to be underscored as in a school-girl's letter. The poet seems intent on showing his sinew, as if the power of the slim Apollo lay in the girth of his biceps. Force for the mere sake of force ends like Milo, caught and held mockingly fast by the recoil of the log he undertook to rive. In the race of fame, there are a score capable of brilliant *spurts* for one who comes in winner after a steady pull with wind and muscle to spare. Chaucer never shows any signs of effort, and it is a main proof of his excellence that he can be so inadequately sampled by detached passages, — by single lines taken away from the connection in which they contribute to the general effect. He has that continuity of thought, that evenly prolonged power, and that delightful equanimity, which characterize the higher orders of mind. There is something in him of the disinterestedness that made the Greeks masters in art. His phrase is never importunate. His simplicity is that of elegance, not of poverty. The quiet unconcern with which he says his best things is peculiar to him among English poets, though Goldsmith, Addison, and Thackeray have approached it in prose. He prattles inadvertently away, and all the while, like the princess in the story, lets fall a pearl at every other word. It is such a piece of good luck to be natural! It is the good gift which the fairy godmother brings to her prime favorites in the cradle. If not genius, it is alone what makes genius amiable in the arts. If a man have it not, he will never find it, for when it is sought it is gone.

When Chaucer describes anything it is commonly by one of

those simple and obvious epithets or qualities that are so easy to miss. Is it a woman? He tells us she is *fresh;* that she has *glad* eyes; that "every day her beauty newed"; that

> "Methought all fellowship as naked
> Withouten her that I saw once,
> As a corónе without the stones."

Sometimes he describes amply by the merest hint, as where the Friar, before setting himself softly down, drives away the cat. We know without need of more words that he has chosen the snuggest corner. In some of his early poems he sometimes, it is true, falls into the catalogue style of his contemporaries; but after he had found his genius he never particularizes too much, — a process as deadly to all effect as an explanation to a pun. The first stanza of the Clerk's Tale gives us a landscape whose stately choice of objects shows a skill in composition worthy of Claude, the last artist who painted nature epically: —

> "There is at the west endë of Itaile,
> Down at the foot of Vesùlus the cold,
> A lusty plain abundant of vitaile,
> Where many a tower and town thou may'st behold
> That founded were in time of fathers old,
> And many another delitable sight;
> And Sàlucës this noble country hight."

The Pre-Raphaelite style of landscape entangles the eye among the obtrusive weeds and grass-blades of the foreground which, in looking at a real bit of scenery, we overlook; but what a sweep of vision is here! and what happy generalization in the sixth verse as the poet turns away to the business of his story! The whole is full of open air.

But it is in his characters, especially, that his manner is large and free; for he is painting history, though with the fidelity of portrait. He brings out strongly the essential traits, characteristic of the genus rather than of the individual. The merchant who keeps so steady a countenance that

> "There wist no wight that he was e'er in debt,"

the Sergeant at Law, "who seemëd busier than he was," the Doctor of Medicine, whose "study was but little on the Bible," — in all these cases it is the type and not the person-

age that fixes his attention. William Blake says truly, though he expresses his meaning somewhat clumsily, "the characters of Chaucer's Pilgrims are the characters which compose all ages and nations. Some of the names and titles are altered by time, but the characters remain forever unaltered, and consequently they are the physiognomies and lineaments of universal human life, beyond which Nature never steps. Names alter, things never alter. As Newton numbered the stars, and as Linnæus numbered the plants, so Chaucer numbered the classes of men." In his outside accessaries, it is true, he sometimes seems as minute as if he were illuminating a missal. Nothing escapes his sure eye for the picturesque, — the cut of the beard, the soil of armor on the buff jerkin, the rust on the sword, the expression of the eye. But in this he has an artistic purpose. It is here that he individualizes, and, while every touch harmonizes with and seems to complete the moral features of the character, makes us feel that we are among living men, and not the abstracted images of men. Crabbe adds particular to particular, scattering rather than deepening the impression of reality, and making us feel as if every man were a species by himself; but Chaucer, never forgetting the essential sameness of human nature, makes it possible, and even probable, that his motley characters should meet on a common footing, while he gives to each the *expression* that belongs to him, the result of special circumstance or training. Indeed, the absence of any suggestion of *caste* cannot fail to strike any reader familiar with the literature on which he is supposed to have formed himself. No characters are at once so broadly human and so definitely outlined as his. Belonging, some of them, to extinct types, they continue contemporary and familiar forever. So wide is the difference between knowing a great many men and that knowledge of human nature which comes of sympathetic insight and not of observation alone.

It is this power of sympathy which makes Chaucer's satire so kindly, — more so, one is tempted to say, than the panegyric of Pope. Intellectual satire gets its force from personal or moral antipathy, and measures offences by some rigid conventional standard. Its mouth waters over a galling word, and it loves to say *Thou*, pointing out its victim to public scorn.

Indignatio facit versus, it boasts, though they might as often be fathered on envy or hatred. But imaginative satire, warmed through and through with the genial leaven of humor, smiles half sadly and murmurs *We*. Chaucer either makes one knave betray another, through a natural jealousy of competition, or else expose himself with a *naïveté* of good-humored cynicism which amuses rather than disgusts. In the former case the butt has a kind of claim on our sympathy; in the latter, it seems nothing strange if the sunny atmosphere which floods that road to Canterbury should tempt any one to throw off one disguise after another without suspicion. With perfect tact, too, the Host is made the *choragus* in this diverse company, and the coarse jollity of his temperament explains, if it does not excuse, much that would otherwise seem out of keeping. Surely nobody need have any scruples with *him*.

Chaucer seems to me to have been one of the most purely original of poets, as much so in respect of the world that is about us as Dante in respect of that which is within us. There had been nothing like him before, there has been nothing since. He is original, not in the sense that he thinks and says what nobody ever thought and said before, and what nobody can ever think and say again, but because he is always natural, because, if not always absolutely new, he is always delightfully fresh, because he sets before us the world as it honestly appeared to Geoffrey Chaucer, and not a world as it seemed proper to certain people that it ought to appear. He found that the poetry which had preceded him had been first the expression of individual feeling, then of class feeling as the vehicle of legend and history, and at last had wellnigh lost itself in chasing the mirage of allegory. Literature seemed to have passed through the natural stages which at regular intervals bring it to decline. Even the lyrics of the *jongleurs* were all run in one mould, and the Pastourelles of Northern France had become as artificial as the Pastorals of Pope. The Romances of chivalry had been made over into prose, and the *Melusine* of his contemporary Jehan d'Arras is the forlorn hope of the modern novel. Arrived thus far in their decrepitude, the monks endeavored to give them a religious and moral turn by allegorizing them. Their process reminds one of something Ulloa tells us

of the fashion in which the Spaniards converted the Mexicans: "Here we found an old man in a cavern so extremely aged as it was wonderful, which could neither see nor go because he was so lame and crooked. The Father, Friar Raimund, said it were good (seeing he was so aged) to make him a Christian; whereupon we baptized him." The monks found the Romances in the same stage of senility, and gave them a saving sprinkle with the holy water of allegory. Perhaps they were only trying to turn the enemy's own weapons against himself, for it was the free-thinking Romance of the Rose that more than anything else had made allegory fashionable. Plutarch tells us that an allegory is to say one thing where another is meant, and this might have been needful for the personal security of Jean de Meung, as afterwards for that of his successor, Rabelais. But, except as a means of evading the fagot, the method has few recommendations. It reverses the true office of poetry by making the real unreal. It is imagination endeavoring to recommend itself to the understanding by means of cuts. If an author be in such deadly earnest, or if his imagination be of such creative vigor as to project real figures when it meant to cast only a shadow upon vapor; if the true spirit come, at once obsequious and terrible, when the conjurer has drawn his circle and gone through with his incantations merely to produce a proper frame of mind in his audience, as was the case with Dante, there is no longer any question of allegory as the word and thing are commonly understood. But with all secondary poets, as with Spenser for example, the allegory does not become of one substance with the poetry, but is a kind of carven frame for it, whose figures lose their meaning, as they cease to be contemporary. It was not a style that could have much attraction for a nature so sensitive to the actual, so observant of it, so interested by it as that of Chaucer. He seems to have tried his hand at all the forms in vogue, and to have arrived in his old age at the truth, essential to all really great poetry, that his own instincts were his safest guides, that there is nothing deeper in life than life itself, and that to conjure an allegorical significance into it was to lose sight of its real meaning. He of all men could not say one thing and mean another, unless by way of humorous contrast.

In thus turning frankly and gayly to the actual world, and drinking inspiration from sources open to all; in turning away from a colorless abstraction to the solid earth and to emotions common to every pulse; in discovering that to make the best of nature, and not to grope vaguely after something better than nature, was the true office of Art; in insisting on a definite purpose, on veracity, cheerfulness, and simplicity, Chaucer shows himself the true father and founder of what is characteristically *English* literature. He has a hatred of cant as hearty as Dr. Johnson's, though he has a slier way of showing it; he has the placid commonsense of Franklin, the sweet, grave humor of Addison, the exquisite taste of Gray; but the whole texture of his mind, though its substance seem plain and grave, shows itself at every turn iridescent with poetic feeling like shot silk. Above all, he has an eye for character that seems to have caught at once not only its mental and physical features, but even its expression in variety of costume, — an eye, indeed, second only, if it should be called second in some respects, to that of Shakespeare.

I know of nothing that may be compared with the prologue to the Canterbury Tales, and with that to the story of the Chanon's Yeoman before Chaucer. Characters and portraits from real life had never been drawn with such discrimination, or with such variety, never with such bold precision of outline, and with such a lively sense of the picturesque. His Parson is still unmatched, though Dryden and Goldsmith have both tried their hands in emulation of him. And the humor also in its suavity, its perpetual presence and its shy unobtrusiveness, is something wholly new in literature. For anything that deserves to be called like it in English we must wait for Henry Fielding.

Chaucer is the first great poet who has treated To-day as if it were as good as Yesterday, the first who held up a mirror to contemporary life in its infinite variety of high and low, of humor and pathos. But he reflected life in its large sense as the life of *men*, from the knight to the ploughman, — the life of every day as it is made up of that curious compound of human nature with manners. The very form of the Canterbury Tales was imaginative. The garden of Boccaccio, the supper-party of

Grazzini, and the voyage of Giraldi make a good enough thread for their stories, but exclude all but equals and friends, exclude consequently human nature in its wider meaning. But by choosing a pilgrimage, Chaucer puts us on a plane where all men are equal, with souls to be saved, and with another world in view that abolishes all distinctions. By this choice, and by making the Host of the Tabard always the central figure, he has happily united the two most familiar emblems of life, — the short journey and the inn. We find more and more as we study him that he rises quietly from the conventional to the universal, and may fairly take his place with Homer in virtue of the breadth of his humanity.

In spite of some external stains, which those who have studied the influence of manners will easily account for without imputing them to any moral depravity, we feel that we can join the pure-minded Spenser in calling him "most sacred, happy spirit." If character may be divined from works, he was a good man, genial, sincere, hearty, temperate of mind, more wise, perhaps, for this world than the next, but thoroughly humane, and friendly with God and men. I know not how to sum up what we feel about him better than by saying (what would have pleased most one who was indifferent to fame) that we love him more even than we admire. We are sure that here was a true brother-man so kindly that, in his House of Fame, after naming the great poets, he throws in a pleasant word for the oaten-pipes

> "Of the little herd-grooms
> That keepen beasts among the brooms."

No better inscription can be written on the first page of his works than that which he places over the gate in his Assembly of Fowls, and which contrasts so sweetly with the stern lines of Dante from which they were imitated: —

> "Through me men go into the blissful place
> Of the heart's heal and deadly woundës' cure;
> Through me men go unto the will of Grace,
> Where green and lusty May doth ever endure;
> This is the way to all good aventure;
> Be glad, thou Reader, and thy sorrow offcast,
> All open am I, pass in, and speed thee fast!"

JAMES RUSSELL LOWELL.

Art. VIII. — CRITICAL NOTICES.

1. — 1. *The Students' Handbook of Comparative Grammar. Applied to the Sanskrit, Zend, Greek, Latin, Gothic, Anglo-Saxon, and English Languages.* By Rev. Thomas Clark, M. A., late Head Master of the Proprietary School, Taunton. London. 1862. 12mo. pp. xii, 335.
2. *A Comparative Grammar of Sanskrit, Greek, and Latin.* By William Hugh Ferrar, M. A., Fellow and Tutor of Trinity College, Dublin. London. 1869. 8vo. pp. vii and 341.
3. *Grammaire Comparée des Langues Classiques, contenant la Théorie élémentaire de la Formation des Mots en Sanscrit, en Grec et en Latin, avec Références aux Langues germaniques.* Par F. Baudry, 1er Partie : Phonetique. Paris. 1868. pp. vi, 212.
4. *An Introduction to Greek and Latin Etymology.* By John Peile, M. A., Fellow and Assistant Tutor of Christ's College, Formerly Teacher of Sanskrit in the University of Cambridge. London. 1869. 8vo. pp. xxiv, 324.

That the historical or comparative study of languages is making rapid progress is sufficiently shown, not merely by the appropriation of the results of the study in the grammatical treatment of individual tongues, but also by the appearance of various works intended as introductions to its pursuit. As two or three such works have been quite recently laid before the English public, it seems a not unsuitable time to pass in brief review the literature of the subject, especially its later literature. Of the older (or rather the less recent, for it is not proper to use the word *old* in reference to a science barely fifty years out of its cradle) it is hardly necessary to speak at all. Every one who has heard of comparative philology at all has heard of the work which laid its foundation ; namely, "Bopp's Comparative Grammar of the Indo-European Languages." Its first edition was begun in 1833, and completed in 1849. A second edition, with important additions and alterations, having the value almost of an independent work, passed pretty rapidly through the press some years later (1857 – 61). A third edition was in process at the time of Bopp's death, two years ago ; but it was hardly more than a reprint of the second ; and, considering the advanced age and infirmities of the author, its loss of his supervising mind and eye is the less to be regretted. An English translation has also gone through three editions, — the last appeared after the completion of the second edition of the original, and represented it ; and a French version is also

now nearly finished (three volumes out of four have appeared). This last is under the charge and responsibility of M. Bréal, the most learned and judicious of French scholars in this department; and it is enriched by him with critical prefaces, which add not a little to its value. M. Bréal's representation of Bopp is to be warmly commended to the attention of those (of whom there are not a few) who are not so versed in German as not to prefer an easier language as the medium of their study.

The other classical work, to which all will, as a matter of course, resort who intend to go below the surface of the subject, is Schleicher's "Compendium of the Comparative Grammar of the Indo-European Languages." Its first edition appeared in 1861 – 62; its second, in a single stout octavo of 856 pages, in 1866. This, too, is a work on which the seal of completion has been set by its author's untimely and deeply lamented death, at the end of 1868, when only forty-eight years old; his last additions and corrections to it are given in an appendix to his "Indo-European Chrestomathy," which was but just finished (October, 1868) when he was taken away.

The style and method of these two works are exceedingly different. Bopp writes with a flowing and attractive simplicity, and explains the workings of his own mind with reference to the points under treatment in a manner which is as instructive as it is engaging. Schleicher is curt and dogmatic, rarely discusses, and rarely mentions views discordant with his own, or gives the impression that he is dealing with matters respecting which doubts are deep, or controversy runs high. This is partly due to the character of his mind, partly to the requirements of his plan; he aimed at preparing a text-book, to be used by both teacher and pupil in the lecture-room.

There seems to be every reason why Schleicher's grammar, as well as Bopp's, should be put within the reach of English readers; and we can hardly believe that sale enough might not be found for an English version to remunerate both translator and publishers, if the enterprise were so conducted as to reach the English and the American public together. A translation is the more desirable, inasmuch as Schleicher has, quite unjustifiably, adopted in the original an orthography of his own devising, which makes many of the most familiar German words look strange enough, and renders some almost unrecognizable by one who is not a practised scholar in the language. To a beginner this peculiarity doubles the difficulty of the text-book. We would not have such a translation, if undertaken, content itself with being a translation merely. It would be valuable in proportion to the independence (and competency) with which it criticised and amended and suggested, men-

tioned opposing views and gave references to where they might be found stated and discussed with more fulness. Upon almost every single point, in every department of the subject, there is now a whole literature, to which a guide-book is greatly needed.

Beside these comprehensive works, covering the entire field of the Indo-European languages and their history, there is room and call for those of a more limited character, dealing with such tongues of the family as lie nearer to our interests and are more studied by us, — like the two classical languages and the Germanic or Teutonic; along, of course, with the Sanskrit, as the nearest representative of the common mother of all. The want thus indicated more than one attempt has been made to relieve, within no long time past; and we have to inquire here with what success the attempts have met.

As long ago as 1862 a "Students' Handbook of Comparative Grammar," etc. was produced in London by Rev. Thomas Clark. It is a brief work (335 pages duodecimo, large and open print), and does not appear ever to have attracted much attention, nor has it any special merits which should entitle it to attention. At the outset, indeed, it repels us by a portentous blunder: in stating the primary branches of the Indo-European family, it sets the High-German down as a separate branch, apart from the Low-German, Scandinavian, and Gothic; and then, as if to maintain, out of superstitious reverence, the current sevenfold division, it runs together into one the Latin and the Greek! No one can feel inclined to trust an author who is capable of such work as that; however faithful and laborious the latter may be, there is no telling where the ground may drop away under one's feet. It is fair to say, however, that what we have referred to is by far the worst point in the volume, which is in general distinguished neither by particular ability nor by unusual blundering; some may find it a convenient first introduction to the study, although no one would think of quoting it as an authority.

More recent and much more pretentious is the "Comparative Grammar of Sanskrit, Greek, and Latin," by William H. Ferrar (not to be confounded with Frederic W. Farrar). Of this the first volume was issued last year, and the second and concluding one is promised for the beginning of 1872. The part published includes the subjects of phonetics, roots and stems, and declension, leaving conjugation and the indeclinables to be treated hereafter. We cannot say much in favor of this work, in any respect. Its type and paper, to be sure, are unexceptionable; but the author's part, even of its getting up, is highly exceptionable; there is no index; the table of contents fills eleven lines; and, instead of running headings, we have the words "Comparative Gram-

mar" thrust before our eyes at the top of every page, as if we could not otherwise retain the knowledge of what book we have in our hands. Such captions are always and everywhere an impertinence, but especially when we ought to have in them that help to the convenient use of the volume which has been unjustly denied us elsewhere. Then the author's plan is not to our mind, in that he professedly leaves altogether out of account the branch of language to which our English belongs, — the Germanic. A partial comparative grammar for English students, with the English element omitted, will never have our approval, and will, generally, we are confident, be pronounced to have fallen short of its true aim. Mr. Ferrar, to be sure, does not stick to his plan throughout. He has a whole chapter on "Grimm's Law" (of the progression of mutes in the Germanic languages), which he introduces without a word of explanation or apology, as if the special phonetic phenomena of Germanic speech formed a natural part of a Sanskrit-Greek-Latin grammar, and were always to be looked for in it. And he adds at the end, in an appendix, a very full abstract of the essay by which Dr. Bühler attempts to show that the Sanskrit "cerebrals" were not due to the influence of the aborigines of India. Now Dr. Bühler is a scholar of high rank, and his essay is an able one, though not perhaps quite so convincing as Mr. Ferrar believes it; but some scores of other articles, upon very special points in the history of this and that Indo-European language, have been published during the past twenty years, which have an equal or superior claim to insertion in Mr. Ferrar's volume; and we would gladly have seen the space it occupies filled with something more about the Germanic tongues, or with twenty other things we could mention. The explanation of the insertion seems to be that Dr. Bühler was formerly a colleague (or perhaps instructor?) of the author at Dublin; and the latter shows clearly in other points, as well as here, the influence of local considerations.

The execution, also, of Mr. Ferrar's treatise leaves much to be desired. He has been an industrious student of the best authorities (together with some which are not so good), and has gotten together, of course, in his 340 octavo pages, a good deal of valuable matter; but it seems to be by a kind of mechanical and outside process. He has not assimilated his material, and then evolved it organically; even when he does not tell us that in treating this and that subject he follows such and such a teacher, we feel the composite nature of what is put before us, — we see the seams. Of real profound learning and critical insight we discover few traces. The very first sentence is almost enough to make us lay down the book in hopelessness. It runs thus:

"The physiology of the human voice is the true basis upon which all inquiries into the origin of language and the mutual connection of languages should be built." A most narrow basis, surely! and a very thin and shaky structure were that which should be raised upon it! Probably, if the author were pressed a little, he could be made to acknowledge that he meant nothing more than that a thorough comprehension of the physical acts of utterance is necessary in order to the full understanding of the processes of phonetic change in language; and that, as phonetics assume the initial place in a comparative grammar, it is proper to begin, first of all, with a physical account of the alphabet. There have been great students of language whose basis has been exceedingly defective in this particular regard; and, on the other hand, men strong in vocal anatomy who were poor enough linguists. Judged by his own rule, the author cannot have built up his inquiries very solidly, for his description of sounds is open to criticism in a host of particulars. It is, as we have already said of the work in general, made up by a process of combination: here Brücke is followed, there Lepsius, and again Müller is the authority relied on; but Ferrar, except as their mouthpiece, we see little of; and what we see, it may be added, does not make us long for more. For example, the theory of diphthongs is certainly his own. It is this: "When two vowels follow each other so rapidly as to melt into one sound, we obtain a diphthong. Now, we know that *a* is formed at a point in the mouth before *i* and *u*, and therefore it alone of the three primary vowels can form a true diphthongal base." Who can point out the *sequitur* here? It seems to be meant that, as the point in the mouth where *i* or *u* is produced is farther forward, or "later," in the mouth than that where *a* is produced, therefore *i* or *u* cannot be uttered before *a*. No; we retract that suggestion, and give up the matter as impenetrable. What, again, is the sense, and what the pertinence in a phonetical discussion, of this remark? "The consonantal signs were originally marks for syllables, as the Devanagari and Semitic alphabets prove." Then, when we come to another grand department of the subject, we are told that the vocative case "is not properly a word, being only an interjection." And is not, then, an interjection a word? When one says "O my lord!" what does he use if not words? Mr. Ferrar may maintain, if he chooses, that the vocative is not a *case*, nor the interjection a *part of speech*, in the same sense with the other cases and parts of speech; but we challenge him to give an acceptable definition of a *word* which shall not include both.

It would be easy to quote other characteristic statements of the same calibre with these without doing any real injustice to the volume or

its author, even while acknowledging that no small part of its contents is of a different character. It is not prepared with that degree of mastery of its subject which we have the right to require of one who attempts to make a text-book for our instruction, and we do not desire ever to see the undertaking completed.

Another industrious compilation, of nearly the same general style and grade, has been recently made by a Frenchman, M. Baudry, of whom we know nothing save that he is an assistant of M. Bréal in the work of translation of Bopp, already referred to. It is to occupy three volumes, of which the first (Paris, 1868, 8vo, pp. 212) is already out, and treats of the subject of phonetics. The second is to deal with roots and with declension; the third, with conjugation. Writing, as he does, for a French public, the author takes all the notice of the Germanic that can fairly be required of him; and he is able to bring in, without violating (like Mr. Ferrar) the plan of his work, that exposition of Grimm's Law which no treatise on any part of Indo-European phonology seems capable of foregoing. We wish that he had spared us the tedious refutation which follows it, of attempted explanations of that remarkable phenomenon which no one has ever found acceptable, and which are in themselves quite unworthy of notice. Upon the whole, we have a higher opinion of M. Baudry's volume than of Mr. Ferrar's; yet the two are to be classed together as of a secondary order of merit. M. Baudry, also, is far from having gained such a comprehension of the processes of utterance as should give an independent value to his expositions of phonetic phenomena, or even as should enable him to distinguish always a good opinion from a bad one. We have not space to enter into details, but would simply refer to his discussion of the subject of quantity (pages 9 – 13), which is wanting, to a very discreditable degree, in an understanding of the facts it is dealing with. The author appears to imagine that "position," or the being followed by two consonants, alters the actual pronunciation of a vowel, making the vowel itself long, instead of merely changing the value of the *syllable*, in virtue of the accumulation within its limits of consonant quantity, — which, of course, is just as real, requiring expenditure of time, as vowel quantity. And he points it out as a remarkably antagonistic phenomenon, wellnigh inexplicable in its diversity, that the Germanic languages usually shorten a vowel, instead of protracting it, before a combination of consonants. He quotes, indeed, the true explanation of the whole matter from Benloew and Corssen, with unquestioning approval, and with much commendation of those gentlemen for their acuteness in suggesting what we hope that few save himself have not been sharp enough to see without help from others, — what, for ex-

ample, the oldest Hindoo grammarians were perfectly clear about; yet, after all, he adheres to his own view, and continues to believe in the reality of the difficulty which he has conjured up. There is nothing else so unfortunate as this, we believe, in the whole volume; but it is merely an extreme example of a certain deficiency of insight, which is a general characteristic of M. Baudry's work, and which deprives the latter of all claim to the honor of being a contribution to philological science.

The only other book of which we shall need to speak, at this time, is that of Mr. Peile. It is in the form of a series of fourteen lectures, successively treating of the principle of phonetic change (i), the relationship of the Indo-European peoples (ii), the Indo-European alphabet (iii, iv), dynamic change (v), phonetic change (vi – xiii), and indistinct articulation (xiv). Its design is to introduce classical scholars to the methods and results of the scientific study of language, and to correct the unscientific and hap-hazard style of etymologizing which is still too current among them (as instanced by him in the preface from the case of one of his own colleagues). And it is excellently adapted to its purpose; better, as appears to us, than any other work in the English language. It is a production of much higher character than those which we have thus far been noticing. The author acknowledges his indebtedness to the great German masters of comparative philology, — as Curtius, Schleicher, Benfey, Corssen, etc., — which, indeed, no one who at the present time executes such a work as it should be executed can honestly avoid doing; they have laid the foundations of the study so deep and strong that those who come after must build upon them. But he has studied them in a free and independent spirit, and has thoroughly worked their results into himself, so that his exposition is his own, brought forth from within, instead of being put together from without. The British universities have hardly produced anything before so fully in the spirit of a continuation and promotion of modern philology.

Mr. Peile's work, unlike the three already reported, tempts to detailed criticism, because it contains so much that is good, and so little to which one need take exception. But we must limit ourselves to noticing a point or two in it. In the first place, it is evident that the author has mastered the subject of the physical constitution and relations of the alphabet much less completely than that of the general theory and the historical details of phonetic change. Now a sound and instructive account of the phonetic phenomena of speech may undoubtedly be made out by one who has only a superficial knowledge of the processes of articulation; only he will be liable to err here and there

in the theoretic explanation of phenomena; and may even have his understanding of the latter warped by a false phonetic theory. Both these errors Mr. Peile has here and there fallen into. Thus, he says (p. 32), when treating of vowel-intensification, "by simply allowing a stronger current of air to pass from the lungs before sounding the radical vowel of a word, they [our forefathers] produced in effect a new vowel *a* before each such vowel," — as if *a* were a mere intensified *i* or *u*, instead of a sound produced by a perfectly distinct position of the organs, different from that of either of the others. This is, indeed, a very trivial matter (though not without a bearing upon the author's fundamental views); much more important is his constant designation of *b* and *v*, for example, as "soft" sounds, as compared with *p* and *f*, which are "hard"; and his assumption that the relations of the two classes are thus truly expressed, and that accordingly the change of *p* to *b* is a weakening process, and that of *b* to *p* a strengthening one. Probably Max Müller is chiefly to blame for this. Mr. Peile, in fact, at the point where it was incumbent on him to explain and defend the assumed relation of his "hards" and "softs," declines to enter into the question, and refers "any one who wishes to understand this part of the subject" to Müller. The reference sounds to us somewhat like a joke; we should have said that any one who wishes to be taught two or three inconsistent views, and to be led finally to abide by the wrong one, should resort to Müller. The true relation has been defined a hundred times, and the best phonologists are now agreed about it. The mouth-organs being fixed in a certain position, if simple breath be emitted, the articulation is "hard"; if breath that is converted into sound on its way through the throat, by the vibration of the vocal cords, it is "soft." There is no real question of hardness or softness here; in fact, if those terms are to be used at all, they ought to be applied in just the opposite way to that in which Mr. Peile uses them. Unless voice is softer than whisper, unless audible utterance is less hard than mere breathing, unless to set in action one part only of the apparatus of speech is less easy than to do the same by two, then *b* and *v* are really *harder* than *p* and *f*. We would not, of course, advocate seriously the reversal of the terms, because it would still amount to using an analogical or fanciful term in place of a truly descriptive or scientific one, — a proceeding wholly to be rejected in scientific etymology. It is true that, in the historical development of language, *p* passes into *b* more often than the contrary; but that does not prove *b* an easier sound *per se* than *p*; nor, when we actually find *b* changed to *p*, — as by the German, who says *kalp* for *kalb*, — are we to give the speaker credit for a strengthened utterance; the matter

needs to be argued and explained on quite different grounds. Indeed, we think Mr. Peile's whole basis of phonetic explanation a little too narrow and rectangular; there is too much of "hard and soft" and "heavy and light" in it. We are tired of hearing even of "heavy" *a*, and "light" *i* and *u*. There is a valuable element of truth in these designations, but also a decided mythological element, which turns a fancy into a fact, and uses an analogical epithet as if it were a scientific definition.

A yet more serious fault in Mr. Peile's general system is, we are convinced (although he certainly has high authorities on his side), his admission of the increase or intensification of vowel sounds (the conversion of *a* to *ā*, of *i* to *ē* and *āi*, of *u* to *ō* and *āu*) as a primary or organic means of expression in Indo-European language; as having been applied directly, in a kind of symbolic way, to the uses of grammatical or radical distinction. A marked tendency in the best modern research, if we are not mistaken, is toward the entire elimination of the symbolical element from the history of the languages of our family, and the recognition of all internal change, whether of vowel or of consonant, as at first only the accidental accompaniment of external accretion, or its remoter euphonic consequence; even though sometimes seized upon later by the language-making faculty and turned to account in a secondary way, or inorganically. This is no place to enter into any detailed discussion of the subject; we would only point out that Mr. Peile does not always show his usual fairness and soundness when he touches upon it. In one place (p. 112), after a brief exposition of a part of the view opposed to his own, he turns it off summarily as plausible enough indeed, but incapable of being proved. A deliberate balancing of the evidence on the one side and on the other would, we are sure, have shown him a great preponderance in its favor. Again (p. 110) he tells us that "from *vid*, 'to know,' comes by regular ascent the well-known word *Veda;* and the second step (together with the suffix *-ika* which is purely formal) gives us *Vaidika*." This strikes us as very bad etymologizing, — this depreciation of the suffix of derivation as something "purely formal"; a thing subordinate to the internal vowel change, and insignificant in comparison with it. Is that the ordinary value of suffixes in Indo-European language? We must presume, then, that the essential distinction between *védmi*, "I know," and *vidmás*, "we know," is the difference of radical vowel, the endings *mi* and *mas* being "purely formal." And where is the intelligible symbolism, either in Mr. Peile's examples or in our own, of which the variation of vowel can be imagined to serve the uses? These two facts — that vowel change comes along with the ordinary means of external

derivation, and that it is not to be brought into any definable relation with ideas or classes of ideas, as their expression — compel us to regard this instrumentality as no essential part of the means of derivation; and change, therefore, the point of view from which we have to regard many of the phenomena set forth so clearly and attractively by our author.

Mr. Peile has had faith enough in the usefulness of his volume to be willing to take pains that it be made easily usable. It has a careful and detailed analysis at the beginning, and a good index at the end, with both running headings and marginal indications of the subject under treatment all the way through. For all these, every reader, of whom we wish him many, will be truly grateful. We heartily commend the work to all who are capable of an interest in its subject.

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2. — *Studies in Church History. The Rise of the Temporal Power. — Benefit of Clergy. — Excommunication.* By Henry C. Lea. Philadelphia: Henry C. Lea. 1869. 12mo. pp. 515.

Mr. Lea's books — especially the one now before us — demonstrate what we have too willingly suffered to be called in question, — the possibility of thorough, exhaustive research and truly erudite authorship on this side of the Atlantic. It is a common belief that here we must at best content ourselves with second-hand authorities, and that the most that we can do is to decant and dilute the choicer vintages of European scholarship and learning. It is true that no public library in America would furnish materials for an extended or ramified research in any department, and this will continue to be the case until there is a systematic tabulation of books wanted and needed in our libraries, with an organized and prolonged siege of the sources of supply which might be made richly available; but it is an error to suppose that books which are rare in Europe are unattainable here. In works not originally costly, but made precious by their antiquity, and needed only for specialties in research, the aggregate wealth of private libraries in Europe is probably very much greater than that of public libraries; and in the breaking up and sale of the former there is perpetual opportunity for procuring books that have long since passed away from trade catalogues. Indeed, it is not uncommon to find in some obscure London shop or stall, or on the parapets on the left bank of the Seine, and at fabulously low prices, defaced, yet not mutilated, copies of works commonly regarded as beyond reach.

Mr. Lea has written on subjects that demanded for their study an ample supply of books, antique, rare, and precious; and he has been unwilling to enter seriously into any subject till he had provided himself with a competent apparatus for its investigation. He indeed has made liberal pecuniary outlays, and has had correspondents and agents wherever there was any hope of capturing a stray volume that might serve his purpose; but so entire has been his success that he can hardly be less fully furnished with original authorities in his own library than he would be were he to confine himself to any one of the great European libraries. His books, therefore, have it for the prime element of their value that they contain authentic history, drawn directly from its sources. The author has, indeed, his historical theories; he marks with care the development of ideas and tendencies, and traces with delicate skill the filaments that bind seemingly isolated events and give unity to the collective movement of a race or an age; yet he never generalizes till he has all the facts within his grasp, — his conclusions never furnish him his premises, he never picks over his materials to select only such as will sustain his theories.

Still less does he subordinate history to rhetoric. He is guiltless of all attempts at fine writing. It is perfectly evident that he writes, not to attract but to instruct readers. He makes no drafts upon his imagination, dresses up no scene, pieces out no imperfect narrative with the anachronisms which often make historical pictures at once vivid and grotesque, lifelike, yet the reverse of truthful. He relates no more than he finds recorded, and gives his story the coloring of its times, and not of his. But while Mr. Lea's style lacks ornament it is by no means wanting in grace. His diction never offends the severest taste, and indicates a scholarly precision in the choice of words and phrases. His sentences are simple in their construction, and always perspicuous. While there is no useless verbiage, there is nothing of that dense compression which makes some historical works as dry as a chronological table. Whatever of interest is inherent in the subject treated or in the events recorded is fully retained in the narrative; while there is no attempt to magnify what is in itself trivial and insignificant, or to elevate mere anecdote into history. Equally little is there of irrelevant discussion. History is made to give its own lessons, and is not used to sustain the author's preconceived opinions. In fine, these essays are models in their kind, — the simple, orderly presentation of facts, events, and movements in their bearing on their respective subjects, — each a complete and exhaustive monograph, containing, with ample means of verification in references and extracts, all that the reader needs to place himself

at the point of view which the author has attained by the most painstaking and elaborate research.

The volume before us, though consisting of three separate essays, has a virtual unity. The three titles represent the several stages, logically consecutive, though coincident in time, by which the Romish Church established its sovereignty over Christendom. The assumption of authority in things temporal preceded by many centuries the concession of temporal power. Hardly had Christianity become the recognized religion of the Roman Empire, when its bishops and councils claimed, and were often suffered to exercise, dictatorship in matters properly under the jurisdiction of the secular authorities; and numberless usurpations, pretensions, and forgeries prepared the way for the division of power between the Church and the Empire under Charlemagne, and for the supremacy which ensued under his successors, and which suffered no serious infraction till the age of Luther. Concurrent with the claim of ecclesiastical jurisdiction was that of immunity on the part of the clergy from the secular tribunals. This last claim — believed to have had its origin in the Council of Nicæa — was sometimes partially recognized, sometimes entirely repudiated, by the Eastern emperors. On the disruption of the empire it became the common law of Christendom; and for centuries afterward ecclesiastics enjoyed a criminal license, which rendered them the pest and bane of every land, desecrated the ritual of devotion, made the Church dependent for its very existence on the superstition and ignorance of the people, and contributed more than all things else to the Protestant Reformation. Excommunication was a necessary incident of the existence of the Church; for the power of exclusion inheres wherever membership is contingent on express or implied conditions. While the Church remained a purely spiritual corporation, no wrong was done by denying its privileges to those who showed themselves unworthy of its fellowship, nor even by proclaiming penalties purely spiritual against such as made themselves amenable to its censures. Moreover, so fast and so far as the Church obtained possession of temporal power, it was impossible, however unjust, that it should not employ against its disobedient or recusant members all the weapons in its armory. Excommunication thus became the chief instrument of ecclesiastical tyranny, the terror of monarchs and of nations, the power which made the bishop of Rome the king of kings.

The volume under review places before us Christianity, the ecclesiastical hierarchy, and the laity, in their respective relations. Christianity in the teachings and life of its Author is purity and love. Its records contain not a trace of any design on his part that it should

have any functionaries other than *ministers:* that is, servants who should owe their position, as he owed the name above every name, to lowly service and willing sacrifice. The assumption of authority and power by these ministers involved in itself all possibilities of corruption, wrong, and evil, converted his benign gospel into an instrument of oppression, and made his peace-speaking cross an ensign of carnage and devastation. The lesson of this volume is that hierarchy, in whatever form or under whatever pretence, is a wrong and an evil; that Christianity has no privileged order of men; that its true priesthood is that of philanthropic labor and self-abnegation; and that its purity can be preserved and its growth insured only under the charter conveyed in the words of its Founder: "One is your Master, even Christ, and all ye are brethren."

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3. — *An English-Greek Lexicon.* By C. D. Yonge. *With many new Articles, an Appendix of Proper Names, and Pillon's Greek Synonyms.* [To which is prefixed an Essay on the Order of Words in Attic Greek Prose, by Charles Short, LL. D.] Edited by Henry Drisler, LL. D. New York: Harper and Brothers. 1870. Large 8vo. pp. cxv, 663.

The appearance of a book like this gives evidence that classical studies are not expected either by scholars or by publishers to succumb under the pressure for a so-called "practical" education. As to the Latin, indeed, its study offers advantages which the most practical minded are obliged to recognize. To him who has not studied it the nomenclature of modern science is an unintelligible jargon. He is shut out from reading many most important works in science, philosophy, and history. He fails of the best help to a ready acquisition and a thorough understanding of the modern languages which come from the Latin, and even of the English, which in half its vocabulary is a Latin language. For the Greek, these obvious "practical" utilities can be claimed, if at all, only in a much inferior degree. If Greek shall continue to be studied, it will be mainly for the intrinsic qualities of the language and literature. The perfection of literary art, shining through the most perfect medium of expression, — this it is which Greek presents to the student, and in this it offers him the finest instrument of culture. To put modern literature, however excellent, in its place, is to give an imperfect education. The modern we have always with us; the student cannot, if he would, escape from its influence; to correct and supplement it, he needs to dwell on the

special excellences of ancient art, its simplicity, harmony, distinctness, and nobleness. But aside from its literature, the Greek language furnishes an unequalled *palæstra* for mental training. The intelligent and persistent effort to gain a true appreciation of its richness, subtlety, pliancy, its grace of form and delicacy of shading, is an education in itself. The study of Greek may be subject to some fluctuation; for there are fashions in pedagogy, as in other things; but it can never cease to be an element in the highest education. There will always be an enlightened and influential opinion in its favor; and the student will be warned that he cannot safely neglect it, if he wishes to obtain for himself the fullest and finest culture.

That Greek composition should have a place in the study of the language is generally admitted. It is not enough that the learner should be taught to recognize the forms of inflection and the principles of syntax as he comes upon them in the course of his reading. To make him thoroughly familiar with them, he must be made to use them for his own purposes, to find the words and the modes of combination which are required for the expression of given ideas. The necessity of doing this will render him watchful in his reading, and he will notice and remember many points of idiom which would otherwise be overlooked or forgotten. It is impossible, however, for the student to draw from his own reading all that he needs for the successful cultivation of this exercise. A good English-Greek dictionary is an indispensable necessity; the entire want of such a help for American students is the principal reason that Greek composition has been so little attended to among us. The work now given to the public can hardly fail to bring about a great change in this respect. About two thirds of the volume is occupied with a revised and enlarged reprint of Yonge's English-Greek Dictionary, which was published in England in 1849, and came to a second edition in 1856. Immediately on its appearance, Professor Drisler saw that it was fitted to supply the want so long felt in our schools and colleges. His first proposals for an American republication were issued nearly twenty years ago. He was not satisfied, however, with merely reprinting the English book: he wished to make it a more complete and trustworthy aid to the student of Greek. To one heavily burdened with duties of instruction such a task was necessarily slow, and especially so to one who could not content himself with hasty or imperfect execution. But the work has been delayed also by other causes; among them, the well-remembered fire on Franklin Square, which destroyed a whole library in stereotype-plates.

The American editor, speaking in his preface of the English work,

lays a just emphasis on the fulness and consistency with which it gives authorities for all the Greek expressions that appear in it. If a Frenchman writing English should use a vocabulary drawn without distinction from Chaucer, Spenser, Addison, Burns, Scott, and Macaulay, the result would be a strange medley of styles and dialects; but it would not be stranger than a Greek composition, the words of which were taken with the same freedom from Homer, Pindar, Herodotus, Thucydides, Plato, and Theocritus. When Charles James Fox was amusing his leisure with efforts at writing Greek, his friend, Dr. Parr, would not allow him to introduce Homeric words where an Attic style was required; and though the great orator thought it rather hard that he should be forbidden to draw upon the Greek author with whom he was most familiar, every scholar must admit the reasonableness and necessity of the restriction. It is essential that the student who uses an English-Greek dictionary should know, in regard to every word set before him, whether it was current in Athenian use, or was peculiar to the Epic, Ionic, or Doric dialects; whether it belonged to the prose language, or was confined to the idiom of poetry; whether it was known in the best times of Greek literature, or is to be found only in later and inferior writers. So obvious is this necessity, that one is surprised to learn from the editor's preface, that Yonge's work was the first of the kind to give it practical recognition by assigning authorities for every Greek word or phrase admitted into it.

It is hardly necessary to say that the American editor, in his own additions to the work, has conformed strictly to the same rule. These additions are carefully distinguished by brackets, and are very numerous and important. Taken together, they amount, as we judge, to about a seventh of the original book. Thus, at the very outset, the indefinite article *a* or *an*, which was omitted by Yonge, is treated at some length. Though generally not expressed in Greek, it is often represented by τὶς, and not seldom by the definite article ὁ, ἡ, τό. The usage on these points is clearly and happily stated. As we turn over the first pages, we meet with many words which were wholly wanting in the English work. Among these are ecclesiastical and religious words, such as *abbey*, *abbot*, *advent*, *alms*, *anabaptist*, *anathema*, *anchoret*, *archangel*, *archbishop*, *ark*, *ascension*, etc. Grammatical words, such as *ablative*, *accentuation*, *accusative*, *adjective*, *antepenultimate*, *antibacchius*, *apposition*, *archaism*, *augment*, etc. Words of natural science, medicine, and other arts, such as *abdomen*, *acanthus*, *afterbirth*, *agate*, *alchemist*, *alchemy*, *alembic*, *aloes*, *amaranth*, *animalcule*, *antimony*, *aorta*, *apothecary*, *aquarius*, *arc*, *astrologer*, *astrology*,

asbestos, *axis*, etc. And many other words of a miscellaneous character, such as *A*, *B*, *C* (for *alphabet*), *abbreviation*, *aborigines*, *academic*, *accountant*, *account-book*, *accretion*, *ace*, *acerbity*, *acquittance*, *acrostic*, *actuary*, *adaptation*, *adieu*, *adjournment*, *administrator*, *ado*, *adventurer*, *advertisement*, *affidavit*, *afflictive*, *afflux*, *afield*, *afresh*, *agape*, *agricultural*, *ah*, *aha*, *ajar*, *akimbo*, *alcove*, *alderman*, *ale*, *alias*, *alliteration*, *allowable*, *allusion*, *almanac*, etc. Further, there are many new words inserted without Greek equivalents, the student being referred for these to other English words of the same meaning, but of more frequent use, thus *abstinent*, *abstract* (subst.), *accommodation*, *accouchement*, *acropolis*, *acumen*, *admittance*, *affiliation*, *afloat*, *aft*, etc. For many words which were inserted in the English book, the American editor has taken notice of meanings which were overlooked or disregarded by the English compiler: thus *abiding* (= permanent), *above* (of number), *absolute* (in philosophical use), *absolution* (of sins), *abuse* (= wrong use), etc. And in very many cases, where no addition is made to the English meaning, the editor has added to the Greek words given by Yonge other words, found in good authors, which express the same meaning, or has added English phrases in which that meaning admits of peculiar idiomatic Greek expression: thus in *abate*, *abatement*, *abdicate*, *aberration*, *abet*, *abhor*, *abhorrence*, *abide*, *abject*, *ably*, *aboard*, *abode*, *abomination*, *abortive*, *abound*, *abridgment*, *abroad*, *abrogation*, *abrupt*, *absence*, *absent*, *absolutely*, *absolve*, *abstinence*, *abstract* (verb), *abstraction*, *absurd*, *abundance*, etc. Many articles — such as *abatement*, *ability*, *able-bodied*, *ablution*, *abortion*, *about*, *above*, *abscess*, *abscond*, *absorb*, *abstemious*, *abstruse*, etc. — have been greatly enlarged by the additions made to them. These statements will suffice to show that no small amount of editorial labor has been bestowed upon the book, which has thus gained largely in fulness and value.

It is, of course, often necessary or desirable in Greek composition to introduce names of persons or places. But the Greek forms for such names are not always accessible to the student, who has only the ordinary helps at his disposal. How is he to know that *France* should be rendered by Κελτική or Γαλατία, and *Spain* by Ἰβηρία? the *Seine* by Σηκοάνας, and the *Adige* by Ἀτίσων? *Mt. Jura* by Ἴόρας, and the *Harz* Mountains by Ἀρκύνια ὄρη? To meet these difficulties, Professor Drisler has added an appendix of about sixty pages, containing "a List of some of the more important Greek Proper Names." The student will find here how to Hellenize the ordinary personal names, Christian names, of modern times; that, for instance, *Charles* is represented by Κάρουλος, *Robert* by Ῥομπέρτος, *Louis* by Λοδοΐχρος, *Henry* by Ἐρρῆς, a

form which Greek euphony has brought into a singular resemblance to our *Harry*. For such names of Teutonic origin, the authorities can only be late Byzantine writers. Is no similar authority to be found for the name *William*, which, we observe, is omitted from the list?

The prefixed essay by Professor Short, on the "Order of Words in Attic Greek Prose," occupies more than a hundred large double-column pages, and supplies a serious defect in the grammatical treatment of the language. It is strange that a branch of Greek syntax so important as this should have received hitherto so little attention from the grammarians. Professor Short mentions a number of commentaries on Greek authors which contain detached observations of more or less value; but he has himself made the first attempt to treat the subject in a systematic and thorough-going way. The result will be a lasting monument to his ability and energy. It would be difficult to point out any considerable product of scholarly research the credit of which is more entirely due to the author whose name it bears. He has taken much pains to collect the remarks of others, and has rendered them full justice in his preface; but they could do little more than serve as hints for the guidance of his own investigations. How extended and laborious these have been may be inferred from the fact that the citations given here — of course, only a selection from the whole mass — are about fifteen thousand in number. The author's conclusions are not founded upon recollections of a few passages which have chanced to attract his special attention. They are inductions drawn from a very wide range of carefully collected observations, and are thus fitted to inspire confidence in their correctness. Nor need the student fear, when he hears of fifteen thousand citations, that he will find the essay a forest of learning, in which it will be hard to make out his position and bearings. The industry with which this immense mass of material has been brought together is less remarkable than the perfect order with which it is arranged and presented. Only a mind singularly gifted with an organizing power could have reduced this multitude of particulars to a harmonious and intelligible system. So strong is the systematizing tendency that it has led him to minute uniformities of arrangement, for which his readers will be the more thankful, as few writers would have taken the pains that they require. Thus, in presenting his illustrations for each statement, he follows a constant order. "In matters involving the Verb, he has first given cases of the Finite Verb, then of the Infinitive, and then of the Participle and Verbal Adjective; in matters involving the Adverb, he has given first the Adverb of Place, then that of Time, then that of Manner, and lastly that of Degree; in matters in-

volving the Prepositions, he has given them in the following order: ἐν, εἰς, πρός, ἐπί, παρά, ἀνά, κατά, ἀπό, ἐκ, σύν, μετά, ἄνευ, περί, ἀμφί, πρό, ἀντί, διά, ὑπέρ, ὑπό, ἕνεκα; and where a Preposition takes two or three cases under regimen, these cases are put in the order of Declension; in matters involving Conjunctions and Conjunctive Words, he has first given those of Place, then of Time, then of Manner, then of Cause, then of Purpose or Result, then of Addition, then of Opposition, and lastly of Contingency. And in giving exceptions to general laws he has in very many instances brought forward again the same phrase or clause with the order changed. He hardly need add how much additional research and care it has cost him to give these features to the Essay."

The copious and clear analysis prefixed to this treatise, and filling nearly eleven pages, will be a valuable aid to all who use it. It will serve the purpose of an index map, giving a view of the whole ground, showing the position and relations of the different parts, and making it easy for the reader to strike any particular point that he wishes to examine.

On a broad survey of the treatise, one is strongly impressed with the freedom of the Greek language in respect to the collocation of words. The conceptions may be expressed in almost any order which is natural for the thinking mind, or which may serve to give a desired prominence to any element of the proposition. It is among the most valuable results of Professor Short's researches, that by demonstrating the usual or normal order of words he has enabled us in many cases to perceive the emphatic force which lies in deviations from it. Thus, he shows that the participle of manner or means regularly follows the verb with which it is connected; where this order is inverted, as in μαχόμενοι ἀπέθανον ὑπὲρ Κύρου, there is an emphasis on the participle. But in many cases the order of words is determined by an invariable usage. The student who should write οἶσθα τὴν ἡμῶν δύναμιν could find no authority to defend him against a charge of solecism, and in many cases where the order is not quite invariable, the exceptions are so few that the student in his exercises should be held to conformity with the prevailing usage. Thus, he should not be allowed to write οἶσθα σεαυτοῦ τὴν δύναμιν, though examples of such an arrangement are not wholly wanting.

It must not be supposed that the volume before us will be of service only to those who are exercising themselves in Greek composition. To all earnest students of the language it offers instruction and assistance of the highest value. The essay of which we have been speaking is essential to a complete mastery of Greek syntax; it fills a gap which is hardly less sensible in the large Grammars of Buttmann, Kühner, and Krüger

than in the smaller manuals ordinarily used in our schools and colleges. In like manner, the appended treatise on Greek Synonyms translated from the French of Alex. Pillon, is the only full and comprehensive work on the important subject which it treats. It is the only systematic attempt to bring together Greek words of nearly identical meaning, and to trace out the differences of sense or use by which they are distinguished. One excellent feature of it is the constant separation of poetic usage from that of prose, a separation marked by difference of type, and thus impressed on the eye as well as the understanding. Even as regards the English-Greek vocabulary, it would be a mistake to consider it as of use only in composition. In the reading of authors, it is often a matter of interest to see in what way or ways a given idea may be expressed by the language. As the result of such an inquiry, one may be led to give up what had before seemed a plausible interpretation, by finding that the sense at first thought of would require some different form of expression.

Looking on the volume as a whole, we do not hesitate to pronounce it a most welcome and important addition to the means of classical study in this country. It is a work which every college student should have at hand for consultation and reference. We may add that the typographical execution is singularly clear and beautiful, and that great pains have evidently been taken with the proof-reading.

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4. — *Literaturgeschichte des achtzehnten Jahrhunderts.* Von Hermann Hettner. In drei Theilen. Erster Theil: *Geschichte der englischen Literatur von* 1660 *bis* 1770. 8vo. pp. x, 537. Zweiter Theil: *Geschichte der französischen Literatur im* 18. *Jahrhundert.* 8vo. pp. ix, 553. Dritter Theil: *Geschichte der deutschen Literatur im* 18. *Jahrhundert.* In drei Büchern. 8vo. pp. viii, 430; vi, 631; vi, 416. Braunschweig: Friedrich Vieweg und Sohn. 1869.

"If it should be asked," says Kant, "whether we are now living in an enlightened age, I should answer, No, but in an age of enlightenment." It is this *Zeitalter der Aufklärung*, this transitional, clearing-up period, that Herr Hettner, in his "History of the Literature of the Eighteenth Century," aims to describe and to analyze. His work has, therefore, a much wider scope than its title indicates, and is nothing less than an attempt to sketch the most salient features of the great intellectual revolution, which followed as a corollary to the Reformation, and, by a broader assertion of the sovereignty of individual reason in opposition to tradition and authority, enfranchised modern

thought and gave to the human mind the full consciousness of its dignity and freedom. In the first volume he traces the origin and development of this general movement through its incipient stages in England, where the political and religious liberty secured by the overthrow of the Stuarts, the permanent triumph of constitutionalism in the accession of William of Orange, the brilliant scientific discoveries of Newton and the clear and comprehensible empirical philosophy of Locke prepared the popular mind for a favorable reception and a rapid germination of the ideas which Bayle, Descartes, Spinoza, Leibnitz, Thomasius, Lessing, and Reimarus had endeavored to sow here and there on the Continent, but which had fallen too often on hard and stony soil and soon withered away, because they had no deepness of earth in which to take root. The condition of France, which forced Descartes to find an asylum in Stockholm, and compelled Bayle to write his Philosophical Dictionary at Rotterdam, is pithily and truthfully described by La Bruyère when he says: "Un homme né chrétien et Français se trouve contraint dans la satire; les grands sujets lui sont défendus." But although England was the nursery of these principles, she was too isolated, not only in geographical position, but also in language and manners, to be an efficient expositor of them to the rest of the world. She needed an interpreter between herself and mankind in order to make her discoveries in science, politics, metaphysics, ethics, and theology cosmopolitan. This medium of communication she found in France. Voltaire and Montesquieu visited England and became inspired with the most ardent enthusiasm for English ideas and English institutions; and while the former familiarized his countrymen with the theories of Newton and Locke, the latter expounded and extolled to them the spirit of the British constitution. Thus began the period of the French *éclaircissement*, to the history and criticism of which Hettner devotes the second volume of his *Literaturgeschichte*. He divides it into three epochs. The first is the epoch of English deism (*die Epoche des aus England überkommenen Deismus*), of which Voltaire was the chief representative and exponent, directing his attacks against supernatural revelation and ecclesiasticism, but holding fast to the doctrines of a personal God and of personal immortality. As a religious polemic, Voltaire only continued, with keener weapons and bolder strategy, the warfare which Bayle, Tindal, Toland, and Shaftesbury had waged before him. Frederick the Great defined the historical position of Voltaire very concisely in a letter written to him February 10, 1767, in which he says: "Bayle began the conflict; a number of Englishmen followed him; you are called to finish it." No man ever possessed a more deep and

abiding conviction of the existence of a God. To the atheists he replied, "Vous existez, donc il y a un Dieu." As he reduced all metaphysics to ethics, so he reduced all ethics to theism: "without God, no morality." In the *Profession de Foi des Théistes* he says, "We condemn atheism, detest superstition, love God and man, this is our creed." And finally it was not mere verbal wit and rhodomontade, but an expression of the same profound belief when he wrote to Prince Henry of Prussia the well-known words: "Si Dieu n'existait pas, il faudrait l'inventer; mais toute la nature nous crie, qu'il existe." Meanwhile Montesquieu, who sympathized with these opinions, wrote his *Causes de la Grandeur des Romains et de leur Décadence* and his *Esprit des Lois*, in which he developed a philosophy of representative government and theories of political liberty that turned the heads of all Frenchmen from the *savant* to the *petit-maître* and produced an entire revolution in the spirit of the nation. He also directed attention to the industrial condition of the country, and declared that the productivity of the land depended less on the fertility of the soil than on the freedom of the inhabitants. Thus by the side of Voltaire and Montesquieu grew up a school of economists of whom Quesnay was the coryphæus, and who asserted agriculture to be the sole and exclusive source of national wealth, all other occupations, mechanical, commercial, and professional, being regarded as unproductive and parasitical. The zeal of this school of "physiocrats" (as they called themselves) was untiring and their success brilliant. "The nation," says Voltaire, "weary of verses, tragedies, comedies, operas, romances, and theological wranglings, began finally to reflect upon the importance of grain." Princes and statesmen became interested in the cultivation of the soil and the elevation of the peasantry. And although the fundamental principle of *physiocratie* has been demonstrated by Adam Smith to be scientifically untenable, and although the political theories of the economists resulted logically in a democratic despotism, with the abolition of all proprietary rights and the complete absorption of the personality of the citizen into the state, yet the beneficent influence of Quesnay's doctrine as a reaction against the so-called mercantile system with its privileges and monopolies, and the relief which he brought to the over-taxed and down-trodden agricultural classes, cannot be too highly estimated. The system of checks and balances, which prevents one branch of government from encroaching upon the others and thus secures the maximum of liberty and order, was an abomination in the eyes of the economists: "*Le système de contreforces*," says Quesnay, "*est une idée funeste.*" The æsthetics and criticism of this period are em-

bodied in the works of Dubos and Batteux. The second epoch of the *éclaircissement* is that of avowed atheism and materialism, of which Diderot and the Encyclopædists were the foremost representatives. Voltaire had asserted the existence of an extraneous immaterial essence underlying and animating all material substance (*toute matière, qui agit, nous montre un être immatériel, qui agit sur elle*). Diderot and his disciples affirmed that life and movement were inherent in matter itself; no substance without force, no force without substance; theology and metaphysics reduced to natural science. Through the *salons* of Madame Necker, Madame Quinault, Madame d'Epinay, the Countess d'Houdetot and Baron Holbach, whom Galiani called *Le maître d'hôtel de la philosophie*, the principles of the encyclopædia became the general theme of conversation in fashionable life. The king was delighted to find in these volumes a full account of the manufacture of gunpowder, and the Marquise de Pompadour could discover nowhere more accurate information concerning the preparation of pomade. Free-thinking pervaded the atmosphere of the Tuileries and Versailles; it was a badge of aristocracy to be sceptical in religion and progressive in politics; the nobleman declaimed against despotism and the abbé against fanaticism. The ethics of this period find their ultimate expression in the unmitigated sensualism of Helvetius and La Mettrie; the poetry and art, in Sedaine's *Le Philosophe sans le savoir*, in the landscapes of Claude Joseph Vernet and especially in the charming *genre* pictures of Greuze, whose naïve and voluptuous village maidens (as, for example, in *L'Accordée du Village* and *La Cruche cassée* in the Louvre) look as though they might have been designed for illustrations to Diderot's romances. The third and last epoch is that of Rousseau and sentimentalism. It consisted in a reaction and revolt of the heart against the tyranny of the understanding, a return to spiritualism, God, and immortality, not on the ground of revelation, but in obedience to a longing of the soul, an impulse of the emotions. Thus Rousseau was at once the heir and the antagonist of the *éclaircissement*. This self-assertion of the heart, of which the vague *Gefühlsphilosophie* of Hamann, Herder, and Jacobi was an echo, expressed itself critically and polemically in Rousseau's two prize-essays on the influence of the arts and sciences and on the origin of inequality among men, constructively and positively in *Émile* and *Du Contrat social*. Out of the same root grew the socialistic speculations of Mably, Raynal, and Morelly, the idyllic dreams of Bernardin de Saint Pierre, and the caustic dramas of Beaumarchais. The whole literature of this period is either a sentimental longing after nature or a satirical warfare against conventionality, resulting in both cases from the same

painful sense of incongruity between right and law, feeling and tradition, aspiration and prejudice. Most of the pastorals and romances, in which this melancholy and quiescent mood found utterance, showed neither vigor of thought nor vitality of any kind, and may be fittingly described by the term which Marie Antoinette applied to Florian's *Numa Pompilius*, "sweetish milk-pap." But the genius of Bernardin de Saint Pierre exerted a deep and permanent influence, as is evident from the impression which it made upon the mind of Alexander von Humboldt, who in the "Kosmos" pays a just tribute to his faithful descriptions of nature, and is reminded of *Paul et Virginie* whenever he looks up at the brilliant cross of the southern sky. The three volumes in which Hettner treats the "History of German Literature in the Eighteenth Century," follow the *Aufklärung* through all the stages of its logical and chronological development in German philosophy, theology, politics, science, and art. The first volume gives a brief preliminary survey of German culture during the sixteenth and seventeenth centuries, and then traces its continuous growth from the Peace of Westphalia to the accession of Frederick the Great (1648–1740); it is the age of Thomasius, Leibnitz, Wolff, Gottsched, Bodmer, and Breitinger, of pietism and dawning rationalism in religion and philosophy, of morbid renaissance and frigid and fantastic *rococo* in art. The second volume describes the age of Friedrich the Great, the triumph of rationalism and the so-called *Popularphilosophie*, and the historical position and intellectual activity of Klopstock, Wieland, Nicolai, Mendelssohn, Lessing, and Winckelmann; whilst in the third volume we have a delineation of the classic age of German literature, beginning with the storm and stress period (which originated in an effort to enlarge the limits of the *Aufklärung*, as the *Aufkläruug* itself had resulted from resistance to the narrow, dogmatic Lutheranism into which the Reformation degenerated), and closing with the reconciliation of the antithesis of nature and culture in the productions of Schiller and Goethe. "The real root of the German storm and stress period," says Hettner, "is Rousseau's gospel of nature." Indeed, his influence has always been far greater in Germany than in France. Even Kant, who was the foe of all fanaticism, and had little sympathy with enthusiasts, could not escape the magic of the Genevan sentimentalist, in whose writings he became one day so deeply absorbed that he forgot to take his usual walk, a neglect of which he was never guilty before nor afterwards. Herder as student at Königsberg and afterwards as teacher in Riga, and Goethe, in Strasburg, were zealous adherents of Rousseau, although, perhaps, Hettner is somewhat extravagant in affirming that "without Rousseau, Werther and Faust are inconceivable." Heinse character-

izes himself as a "*verfeinerten Rousseauisten.*" In the plays and novels of Klinger, the most manly and versatile of the *Stürmer und Dränger*, Rousseau reappears on every page; and the same inspiration works in all the earlier dramas of Schiller, from "The Robbers" to "Don Carlos." Niebuhr, too, tells us in his lectures on history how in his youth "Rousseau was the hero of all who were struggling after freedom." Even English parks (*englische Gärten*) became popular in Germany chiefly because their charms had been so warmly praised in *La Nouvelle Héloise*, and soon there was hardly a pleasure-ground laid out that did not contain a retired grove or an artificial island adorned with the bust of the illustrious Genevese. This influence of Rousseau on the German mind in the directions indicated is one of the most curious and interesting facts in literary history. But we have no space to discuss it here. In calling attention to this work, we have endeavored to give the reader a general idea of its scope and tendency. An adequate conception of its rich contents and of the author's clear and terse style can be obtained only from the volumes themselves. Herr Hettner writes with a directness of thought and language and a freedom from syntactic involutions as rare as they are refreshing in German books. As a critic he is keen and often severe, yet comprehensive and discriminating. Very seldom do his sympathies bribe or obscure his judgment. Although positive in his opinions, he is in no sense a partisan or a one-sided theorist, but everywhere a high-minded and broad-minded man of letters. What Lessing prized as "the one inward impulse after truth" is the inciting and guiding principle of his investigations.

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5. — *An Essay in Aid of a Grammar of Assent.* By John Henry Newman, D. D., of the Oratory. New York. 1870. pp. 479.

Under this title, carefully avoiding the suggestion of a treatise on logic or metaphysical science, we have in fact a discussion, by one of the acutest of living reasoners, of the fundamental question of modern philosophy, — the question of Descartes, of Hume, of Kant, — namely, What is the real ground of Belief? The Catholic theologian is no scholastic, but shares the tendency of his time towards science and psychological analysis, and stands on the same philosophical ground with his countrymen, Mill, Bain, and Spencer. Like them he is a man of facts and a despiser of abstractions, and he brings to these difficult discussions a precision and tenacity of mental grasp and a skill in statement which give to the Essay, apart from its theological merits,

a high value as illustrating from an independent point of view of the metaphysical substratum which underlies English thought in its most various manifestations. His motto is, "Not by dialectics did it please God to save his people"; not by the careful manipulation of propositions, nor by any process which we can fully explain, or of which we are fully conscious, do we apprehend truth, but by a direct personal sense of it, — a perception without assignable media of perceiving. The common starting-point of these philosophers is the finality, the unconditional truth of direct consciousness. "Whatever is known to us by consciousness," says Mr. J. S. Mill, "is known beyond possibility of question. What one sees or feels, whether bodily or mentally, one cannot but be sure that one sees or feels." "If we feel hot or chilly," says Dr. Newman, "no one will convince us to the contrary by insisting that the glass is at 60°." This direct certitude is a question of fact, not of logic; either we have it or we have it not. When we have it, it is necessarily unconditional and final. Inference, on the other hand, is always conditional, because it does not deal directly with things, but with notions, previous judgments, from which a further conclusion is inferred. In my assertion that I feel hot or chilly there is no room for mistake, for the premises and the conclusion are identical. But if I go on to infer that the weather is hot or cold, I go beyond the momentary feeling, of which I am certain, and assert something of which there can be no direct experience, — something which has indeed no existence, no counterpart out of the mind, an abstraction created by an act of the mind itself. Thus inference always comes short of proof in concrete matters, because it has not a full command over the objects to which it relates. It deals with abstractions, not with realities. When people speak of degrees of certainty in our assent it is inference they are thinking of, not assent. Certitude, or real assent in its normal completeness, is in its nature absolute and indefectible. It can neither be discredited, lost, nor reversed. For certitude is only the normal act of the mind as soon as it stands in a certain position towards a fact, — like the striking of the clock when the hands reach the hour. The clock may be wrong; but it is not wrong that it should strike. It may turn out that my certitude is unfounded; but then it is my reasoning that is at fault, not my assent to it. The indefectibility of certitude does not mean its infallibility. It is not a gift or faculty for knowing the truth as to all possible propositions in a given subject-matter, nor does it regard the relation of a given conclusion towards its premises, but only the relation of the conclusion towards the mind of a particular individual. The only test of certitude is the feeling itself, a specific sense of intellectual satisfaction and

repose that accompanies it; and this is not proved to be irrational by showing that it is founded on a mistake. "Suppose I am walking out in the moonlight, and see dimly the outlines of some figure among the trees; — it is a man. I draw nearer, — it is still a man; nearer still, and all hesitation is at an end, — I am certain that it is a man. But he neither moves nor speaks when I address him; and then I ask myself what can be his purpose in hiding among the trees at such an hour. I come quite close to him, and put out my arm. Then I find for certain that what I took for a man is but a singular shadow, formed by the falling of the moonlight on the interstices of some branches or their foliage. Am I not to indulge my second certitude because I was wrong in my first? Does not any objection, which lies against my second from the failure of my first, fade away before the evidence on which my second is founded?"

The obvious criticism upon this reasoning is that it leaves *truth* out of the question, and looks only to the impression made on the mind of a particular person. Belief is in this view a psychological phenomenon which begins and ends in the individual, and is not to be measured by any common standard. The strength of our assents, Dr. Newman tells us, does not vary with the evidence, but with the effect upon the imagination. Their validity then will be equally restricted. Our perception of truth is only a personal affection, which is, indeed, in each instance complete, final; but, for that very reason, of no account for other people. Truth should be true for all; but our private impressions cannot have this extent. The more total and absorbing the impression, the more unique and incommunicable. What Dr. Newman calls our real assents — in other words, our feelings — are indeed unconditional; but this is because they assert only their own existence. If they asserted anything more, they would no longer be direct assents; they would be inferences. That I feel hot or chilly is certain, because in saying this I assert nothing more than my own sensation. But if my assertion is to have any meaning, if it is to be intelligible, it must contain something more than this; it must imply that the object of the sensation exists independently of my momentary feeling. This involves an inference; the conclusion is not already given in the premises by direct consciousness, and therefore is no longer unconditional. Moreover, since my feelings are only my feelings, I cannot assume that they will agree with the feelings of another. We may fancy that we understand each other, and that our words mean the same thing; but in reality we are talking at cross-purposes. It is the same difficulty which occurs to the reader of Mr. Mill's "Logic," when he is told that the premises of all our knowledge are furnished by direct con-

sciousness, without any admixture of reasoning, and at the same time that the meaning of all the names we give to objects resides not in what the names directly denote, but in what they *connote*, — that is, in the results of reasoning about them. Dr. Newman is not insensible to this difficulty, which touches him in Locke's proposition that the love of truth cannot carry any assent above the evidence there is to one that it is true, and that all assent beyond the degrees of this evidence is owing to some other affection, and not to the love of truth. It follows then, that, since in our reasonings about matters of fact we can have for the most part only probable evidence, unconditional assent to any proposition which is not supported either by intuition or demonstration is irrational and wrong. This is a conclusion which seems to Dr. Newman, as it does to us, inadmissible. He avoids it by saying that Locke's view of the human mind, in relation to inference and assent, is "theoretical and unreal"; that "he consults his own ideal of what ought to be, instead of interrogating human nature, as an existing thing, as it is found in the world. Instead of going by the testimony of psychological facts, and thereby determining our constitutive faculties and our proper condition, and being content with the mind as God has made it, he would form men, as he thinks they ought to be formed, into something better and higher; and calls them irrational and immoral if (so to speak) they take to the water instead of remaining under the narrow wings of his own arbitrary theory."

If Locke's theory is arbitrary, let us replace it by one more in accordance with the facts, — let us not content ourselves with simply denying his conclusions. The fact alleged is that many truths neither intuitive nor demonstrative are yet unconditionally accepted by us. We are sure beyond all hazard of mistake that there is an external world, a universe carried on by laws, and that the future is affected by the past. We know that the earth contains vast tracts of land and water; that there are really existing cities on definite sites, though neither of these things is demonstrable nor a matter of direct consciousness. We know that we were born and shall die, though we have no memory of our birth and no experience of the future. We feel that we can trust our friends, and we are aware of hostility and injustice towards us. We may have an overpowering sense of our moral weakness, and of the precariousness of life, health, wealth, position, and good fortune. We may have a sense of the presence of the Supreme Being which has never been dimmed, and we may be able so to realize the precepts and truths of Christianity as deliberately to surrender our life rather than transgress the one or deny the other. That on all these truths we have an immediate and unhesitating hold, although we cannot reach them

through a series of intuitive propositions, as a general fact is undeniable. The question is how this unconditional assurance of truth, the existence of which nobody denies, can be justified on the hypothesis that all things in the world are, as Dr. Newman says they are, unit and individual? Our relation to the objects of our experience, in Dr. Newman's opinion as in Locke's, is that of individual things to each other. "Each thing has its own nature and its own history. When the history and the nature of many things are similar, we say that they have the same nature; but there is no such thing as one and the same nature; they are each of them itself, not identical, but like." So are men units. "John, Richard, and Robert are individual things, independent, incommunicable. We may find some kind of common measure between them, and we may give it the name of man, man as such, the typical man, the *auto-anthropos*. We are justified in so doing and in investing it with general attributes, and bestowing on it what we consider a definition. But we go on to impose our definition on the whole race and to every member of it, to the thousand Johns, Richards, and Roberts who are found in it. Each of them is what he is in spite of it. Not any one of them is man, as such, or coincides with the *auto-anthropos*. Another John is not necessarily rational because 'all men are rational,' for he may be an idiot; nor because 'man is a being of progress' does the second Richard progress, for he may be a dunce; nor because 'man is made for society' must we go on to deny that the second Robert is a gypsy or a bandit, as he is found to be. There is no such thing as a stereotyped humanity; it must ever be a vague, bodiless idea, because the concrete units from which it is formed are independent realities." "Each is himself and nothing else, and though regarded abstractedly, the two may fairly be said to have something in common, namely, that abstract sameness which does not exist at all; yet, strictly speaking, they have nothing in common, for they have a vested interest in all that they respectively are . . . so that instead of saying, as logicians say, that the two men differ only in number, we ought rather to say that they differ from each other in all that they are, in identity, in incommunicability, in personality." Thus every one who reasons is his own centre, must speak for himself, and can speak for no one else; and no expedient for attaining a common measure of minds can reverse this truth. Now this is just what Locke asserts, and Dr. Newman only pushes the same reasoning further. Likeness is a vague word, and when we say that things are like, or that men have something in common, we are describing only hypotheses of our own, not anything definite or belonging to the nature of these objects. No wonder that from this point of view it

should appear that inference in the concrete never reaches more than probability. Rather, we should say, every inference is unfounded. In spite of the want of evidence, however, we are constantly receiving propositions as true and universal of which the truth is neither intuitive nor demonstrated, and none of us can think or act without doing so. All human speech and intercourse presuppose a common measure of individual feelings, a universal for every unit. "Let units come first," says Dr. Newman, "and (so-called) universals, second; let universals minister to units, not units be sacrificed to universals." This is easier said than done. Every word we use is the name of a thought, a universal. Our acts constantly refer to a universal standard of action, and would be absurd without it. The barrel of flour which we order at the shop is not the same barrel we ordered last month, but something of which neither buyer nor seller has any immediate experience. "A barrel of flour" is the name of every barrel. What we order is then an abstraction, which has no existence, no counterpart, out of the mind. In morals the matter stands yet worse, for if man does not exist, the precepts of morals and humanity are baseless hypotheses and mistaken analogies. But if then, "treating the subject, not according to *a priori* fitness, but according to the facts of human nature, as they are found in the concrete action of life," we resign ourselves to the view that our assents have no assignable relation to the evidence, that we assent without evidence or against it, from an indefinable instinct which may be habit or the effect of accident, what is this but a theory, namely, Hume's theory that belief is an act of the sensitive rather than of the cogitative part of our natures? "What is left to us," says Dr. Newman, "but to take things as they are, and to resign ourselves to what we find? that is, instead of devising, what cannot be, some sufficient science of reasoning which may compel certitude in concrete conclusions, to confess that there is no ultimate test of truth besides the testimony borne to truth by the mind itself?" Reasoning and reflection, Hume said, only weaken our conclusions, by showing us that the evidence on which we suppose them to rest is inadequate, or, rather, irrelevant. The evidence of direct consciousness, that is, of feeling, owes all its force to its directness and immediateness; as soon as we attempt to use it as a ground of inference all its authority is gone. My feeling bears with it unconditional and indefectible certitude of its own existence at this moment. To this extent it is the best possible evidence. But beyond this it is no evidence at all. It may happen that another person feels as I do, or that I myself may have the same feeling at another moment, that is, my feeling may be not merely unit and individual, but also universal. But

I cannot know this from the feeling itself, for that gives me no hint as to my future feelings or the feelings of other people. That I am at this instant hot or chilly, hungry or vexed, gives me no reason to conclude that another person is so, or that I shall have the same sensation at any other given moment. If I am able to predict its recurrence, or assume its existence in another, or to use it in any way as a general ground for reasoning, this is because it is not a mere individual feeling, complete and ended in itself, but implies as its basis and condition a universal, of which it is only an instance. Were it not so, any inference from one feeling to another would be groundless, and although we perhaps could not help making the inference, yet the less said about it the better, for it would be impossible to justify it on rational grounds. Hume's scepticism goes no further than this. He did not in the least seek to discredit the maxims of common sense and experience, or to deny moral distinctions, he only pointed out that these generalizations cannot be justified from experience, since our experience is only of particulars. There is nothing irrational or absurd, he thought, in our assenting to these abstractions as if they were realities; for they are, some of them, the foundation of all our thoughts and actions, so that upon their removal human nature must immediately perish and go to ruin. But they cannot be supported by reasoning, that is, by legitimate inference from the data furnished by sensation. Dr. Newman's result is substantially the same. "Acts of assent," he says, "require previous acts of inference, but they require them not as adequate causes, but as *sine quâ non* conditions." That is to say, we find that our inferences go beyond the original data, and as we have assumed once for all that these data are final, unalterable, that they are ultimate truths, we are forced to suppose that our conclusions, considered as results of reasoning, are untenable. And since we cannot bring ourselves to renounce them, there seems to be no other course open to us but to adhere to our conclusions, in spite of their unreasonableness.

Surely this is a deplorable result for philosophy to arrive at. Obviously there is another alternative, namely, to consider Hume's argument not as a demonstration of the frailty of human reason, but as a *reductio ad absurdum* of his premises, namely, of the assumption that Truth is only a personal sensation. If it were indeed true that our beliefs are merely personal, and that they are given to things and not to notions or ideas, our inability to establish them by reasoning would not be astonishing, for reason knows nothing of private and personal truths, but only universal truth. Reasoning is nothing else but the removal from the present fact of all that is private and personal, all that be-

longs to the circumstances under which it is observed. In this process the sense of immediate certitude is necessarily disturbed; the fact is detached and looked at as something independent of the particular feeling which it excites in the mind of this or that observer. If it will not bear detaching without losing its original force, we have the choice, either to abide by our private impression without regarding any arguments that may be brought against it, or to confess that it was a mistake. But the test of truth is to bear this contradiction, this disturbance of the primary certainty, without loss, with only gain to the security of the conclusion. It is thus that our experience becomes established. Experience does not mean having something happen to us, but it means the winnowing out from the mass of casual events what is universal and normal, what concerns us therefore as men. Experience in this sense means the progressive refutation and rejection of that experience which is given by merely being alive and awake. The two are not the same, but contradictories of each other, yet the sense of certainty belongs to both alike. No man, says Dr. Newman, is certain of a truth who can endure the thought of its contradictory existing or occurring, or whose mind does not spontaneously and promptly reject in their first suggestion, as idle, as impertinent, as sophistical, any objections which are directed against it. But it is to be observed the certitude is the same when the object of it is a falsehood. What is distinctive of the apprehension of truth is not the positive certitude, the mere exclusion of everything beyond the present fact, but the implication the inclusion, of the contradictory. The savage is just as certain of the divinity of his fetish as the Christian is of the being of God. But his certitude attaches to a thing, unit and individual, and not to an idea, and does not include and dispose of the equal claims of other things, other beliefs, but merely denies them. The object of Christian worship, on the other hand, does not exclude or characterize as idle or impertinent any of the reverence which the other feels. The Christian, therefore, justly considers his assurance the more valid, just because it does not contradict, but welcomes and affirms everything in the other's belief which belongs to it as belief and not merely as effect of accidental circumstance and position. It is by this perpetual inclusion of the contradictory that Truth grows, and the primary unit of sensation becomes universal, valid, and intelligible. The simplest of our judgments, those implied in sensation, rest on a foregone acceptance of contradictories to yet earlier unremembered judgments. If we believed our eyes we should see all objects in one vertical plane. We have, as Dr. Newman says, no immediate discernment of the individual beings which surround us, but only of certain impressions, and an

instinctive certitude that these impressions represent them. In other words, we feel an immediate certainty that what we immediately discern is *not* the truth, the thing itself, but something from which we can learn what it is. The obvious conclusion from this reasoning seems to be, not that our assents are independent of inference, but that our inferences do not leave their data where they found them, but transform the fact started with, as soon as the inference is complete, into a new fact, which so completely obliterates the old that the inference is seemingly left without premises. Vision, for example, is a series of inferences so rapidly concluded that we remain unconscious of them until one happens to be erroneous, as when we mistake an insect close to the eye for a bird at a distance. By Inference is usually meant conscious Inference, and Inference is conscious usually only so long as it is incomplete. But the position that Inference is necessarily incomplete, or can lead only to probable conclusions, not to truth, is not a psychological fact, but merely a consequence (and a legitimate one) of the primary assumption of the Inductive Philosophy, that all concrete realities are particulars, units; that each thing has its own nature. For then, our knowledge of them is, of course, piecemeal, and even supposing it could in some way be accumulated, would still be dependent upon the chances of contact, and far short of truth, or knowledge of the whole. Holding the premises he does, philosophical scepticism, distrust of reason, and the need of replacing it by some more trustworthy authority, is necessarily Dr. Newman's conclusion. But in coming to this conclusion he is, with all his professed disregard of logic, more logical than his inductive brethren.

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6. — *A Historical Grammar of the French Tongue.* By Auguste Brachet. Translated by G. Kitchin, M. A. Oxford, at the Clarendon Press. 1869.

A slight examination of recent college catalogues will show that, while the modern languages have been introduced into the curriculum of many of our higher institutions of education, they have been introduced generally as elementary studies. Their admission has been a double concession, — on the one hand to the public demand for practical studies, and on the other to the theory that the college ought to teach a little of everything. The friends of the classics, whose obligations to German scholarship are so great, have regarded the term or two which they surrendered to French and German as a sort of sop to the public Cerberus; and the advocates of a broader training, feeling the importance of introducing these languages somewhere in our sys-

tem of education, have forced the university to make room for them. At the same time all friends of severe training have felt that, in the way in which they are usually taught, they do not compare as means of mental discipline with the studies which they displace. French, especially, is a language which he that runs may read; and it is not strange that wise men have been reluctant in consenting to allow our best colleges to do in this one department the work of the nursery or the primary school. It is extravagant, they justly say, to employ the complicated machinery and the over-crowded time of a great institution to teach a young man at the age of twenty what he would have learned with less friction and with more thoroughness at the age of twelve, if he did not learn it from his nurse. It cannot be denied that it is an incongruous system which makes a lesson in Fasquelle follow a chorus in Prometheus, and sets a man who has been solving problems in the Calculus at work with grammar and dictionary over a page of Télémaque. But the remedy lies not in excluding from the college course these languages, whose only fault is that they are so easy, but in improving our methods of teaching them. The tedious drill in grammatical forms and in the first principles of syntax, which is so intolerably irksome to both teacher and scholar at the university stage, should be left, as it is left in the classical languages and in English, to the preparatory schools. At college the student should learn that the literatures to which he has thus been introduced contain something more substantial than simple stories and light comedies, and that the grammar which has teased him with its blind rules and its frequent exceptions is not a mere bundle of tangled and irrational idioms. At this stage of his progress he should be made acquainted with the treasures of history, biography, philosophy, poetry, and eloquence, for the sake of which only the languages are worth learning, by means of inspiring lectures and a critical study of authors and of epochs. Such study is beyond the mental reach of school-boys; but it is fit work, and it may be made fascinating work, for the college class-room.

There is another way, also, in which the modern languages may be made to do equally good service in the cause of mental discipline, and in which the Romanic languages have perhaps the advantage over those of the Germanic family, — namely, by a method of study which shall trace their history and exhibit the principles of their growth. The comparative grammar of these languages, which is not older than the distinguished German scholar, Diez, who is still lecturing to a handful of students at Bonn, but which has already attained the proportions of a science, ought to be taught and must soon be taught in every college into which the French language is admitted. Its outlines are so

sharply defined, its rules so few and so clear, its results so curious and yet so sure, that it cannot justly be excluded from a course of study in which language has a place. The day is coming when a knowledge of its principles and the ability to apply them will distinguish that acquaintance with French, which forms a part of the capital of an educated man, from that which has been picked up in boarding-schools or in a year on the Continent; when no one can claim to have mastered the language whose studies do not enable him to follow back the words of Molière and Clément Marot, through their older forms in the oaths of Strasburg and the rondelets of the *trouvères*, to Petronius, whose style with this clew becomes easy, and further still to the Augustine poets. And we are confident that a brief experiment of this course of study, judiciously conducted, would show that it may be made as entertaining as it certainly would be instructive; when once a student has mastered its principles he can go on etymologizing to almost any extent.

We have been led to make these remarks by the appearance of the best handbook of this science which we have yet met with, and which will in a measure supply a want that all teachers of French, who are at the same time scholars, must have felt. It is a translation, in a neat little volume of two hundred pages, of the *Grammaire Historique Française* of M. Auguste Brachet. Its author is probably little known in this country, though this is not his first publication. He belongs to the small circle of young French scholars — in which the names of Michel Bréal, Paul Meyer, and Gaston Paris have won distinction abroad as well as at home — who are laboring to introduce among their own countrymen the historical method of grammatical study which has accomplished such brilliant results in Germany. He first appeared before the public as the author of an *Étude sur Bruneau de Tours*, a *trouvère* of the thirteenth century, and afterward of an essay on the "Office of Atonic Vowels in the Romanic Languages," both of which were warmly praised in the *Revue Critique*, the organ of the group of scholars to which we have referred. More recently he has issued a brief *Dictionnaire des Doublets de la Langue française*, and by virtue of these modest but valuable contributions to modern philology he has been chosen one of the editors of the *Revue*, and he is now engaged, in connection with M. Gaston Paris, upon a French translation of the Comparative Grammar of Diez. His position is thus a sufficient guaranty both of the scientific method and the general accuracy of this popular manual, in which he aims to bring the main facts and the general principles of French etymology before a larger number of students than those who listen to M. Paris at the

College of France, or read the scholarly essays of M. Littré. In the present translation, which has had the benefit of Professor Max Müller's revision, the book is equally deserving of the careful attention of English and American students; and we may say to teachers of French in this country, what has been said by an able French critic, that, "thanks to M. Brachet, the first principles of true French grammar can no longer be ignored, and we shall have a right to demand of all persons who presume to talk about the French language that they at least know this little volume by heart."

The work is divided into three books, which treat of (1) Phonetics, or the study of letters, (2) Inflection, or the study of grammatical forms, and (3) the formation of words. An introduction of thirty-eight pages comprises a clear though somewhat discursive sketch of the history of the language, in which the important distinction is made between Low Latin, or the barbarous imitation of the classical idiom in use among public personages, from the Merovingian invasion to the time of Francis I., and Vulgar Latin, the idiom spoken by the people under the Roman emperors, and the parent of modern French. The author then traces rapidly the history, and points out the mutual relations of the different dialects, and touches on some of the principal influences which have slowly changed the structure of the language from synthetic to analytic, and the violent attempts which have been made at different times, as, for example, by the Pleiad, to modify its character. In the second section of the introduction he states and illustrates three great laws of French derivation: (1) the continuance of the Latin accent, by which we are able to distinguish words of ancient and popular formation, like *porche*, from words more recently coined by the learned, like *portique*, from the Latin *porticus;* (2) the suppression of a short vowel, in the syllable preceding the accent, as *bonté*, from *bon(ĭ)tatem*, and (3) the loss of a consonant between two vowels, as in *lier* from *li(g)are*.

The subject of *phonetics*, which lies at the foundation of the whole study, but which is generally made unnecessarily perplexing and dry, is treated in Book I. with great clearness and brevity, under the heads of (1) the Permutations of letters, (2) Transposition, addition, and subtraction, (3) Prosody. Why the first two of these divisions should not have been united in one does not appear to us. Permutation includes transposition, and by combining the two the author would have obtained the not inconsiderable advantage of presenting the history of each letter at a single view, instead of dividing it among a number of sections on as many different pages. He has, however, wisely followed the example of Diez in tracing separately the history of each letter of

the French alphabet back to the Latin letters from which it arises, and of each Latin letter down to the French letters into which it has been changed. But he gives no reason for reversing the order which the German grammarian observed, and which certainly appears the natural one, and for placing the history of the Latin letters after instead of before that of the French letters. Some omissions in this portion of the work are the more noticeable on account of its general excellence. Thus, for instance, the author has overlooked the nasal vowels and the vowel *y*. He has also omitted to notice and account for the difference of quantity in, *e*, *é*, and *è*, *a* and *â*, *o* and *ô*, and has given only a partial explanation — and that not in its proper place — of the origin of these accents. If we were disposed to find fault, we should object also to the too absolute manner in which rules are laid down which admit of numerous and important exceptions; it must be remembered, however, that his work is one of introduction and popularization, and that it would have been impossible to attain strict accuracy without a loss of that simplicity and clearness which are striking characteristics of this part of the volume.

In Book II. Part I. treats of the Declension (1) of the Substantive, under which are discussed case, number, and gender, (2) the Article, (3) the Adjective, (4) the Pronoun. The processes by which the six cases of the Latin noun have been reduced, first to two and then to one, and by which the sibilant, which marked a single case of one number in Latin, has come to be the plural sign for almost all nouns and adjectives in French, are plainly stated and well illustrated, though with some repetition in what concerns number. In treating of Gender the author has fallen into the common error of speaking of the entire absence of the neuter in French, whereas in two pronouns, *ce* and *quoi*, it still exists.

The pages on the verb, which are, on the whole, admirable, are not altogether free from errors, and do not set in its final form the complicated subject of conjugation. Thus it would not be strange if some confusion should arise in the mind of the student from the double division into irregular and anomalous of the verbs which do not readily fall within the three conjugations. The former epithet especially should not be applied in a scientific grammar to verbs which are regular in their inflection, but which have a strong form in the perfect. There is, too, in this division a singular contradiction between two statements in regard to the formation of the conditional. On page 139 we read, "The future and conditional are compound tenses, made up of the infinitive of the verb and the auxiliary *avoir* (*aimer-ai*, *aimer-ais*)." But on page 120 it is stated that "the French language has created

the conditional under the form of the infinitive, which indicates the future, and a *termination* which indicates the past"; and the author adds in a note "*-ais*, *-ais*, *-ait*, *-ions*, *-iez*, *-aient*, represent the Latin *-abam*, *-abas*, *-abat*, etc." Here of course the first statement is the correct one; *aimerais* is from *amare habebam* as *aimerai* from *amare habeo*.

Part III. of this book is occupied with a list of the principal Particles, such as adverbs, prepositions, conjunctions, and interjections, with the derivation of each. We notice here the statement that the adverbs of affirmation and negation are six in number, while only four are mentioned.

Book III. on the formation of words contains, under the heads of Composition and Derivation, a summary of the most common methods of word-formation and lists of the principal prefixes and suffixes. An Appendix on the rules to be observed in testing derivation closes the volume.

It will be seen from this sketch of M. Brachet's work, that, though it is not in all respects what such a book should be, its plan is excellent, and its execution, on the whole, free from serious errors, while it fills a gap in the study of the French language of which the authors of the grammars in general use seem to have been unaware. Its utility is impaired by two important defects, — the absence of all reference, except in the introduction, to the other sources besides the Latin, especially to the Germanic languages, from which the French vocabulary has derived very many of its most common and useful words; and the entire omission of the subject of syntax, in which the practical results of the historic method are most palpable. One gets from an examination of the work, also, the impression that the author regarded it as an experiment, and that he has not always judged wisely when to enter into details and when to restrict himself to general statements. Its great merit is that it presents a remarkably clear exhibition of a novel and complex subject. That the want which it is designed to meet has begun to be felt is sufficiently shown by the publication of the *Palæstra Gallica* of Professor Meissner, of Belfast, the only other book which we have met with in English, covering the same ground. But though much more thorough in its treatment of some branches of the subject, such as, for instance, the dialects and word-formation, the latter work is so deficient in clearness of arrangement and often of statement, that without the lectures of its author, which it was intended to accompany, it does not seem to us likely to be of much service to a beginner.

7. — *The Acts and Resolves, Public and Private, of the Province of the Massachusetts Bay, to which are Prefixed the Charters of the Province, with Historical and Explanatory Notes and an Appendix.* Published under Chapter 87 of the Resolves of the General Court of the Commonwealth for the Year 1867. Vol. I. Boston: Wright and Potter. 1869. 8vo. pp. xxix, 904.

In the year 1639, nine years after the setting up of the framework of Massachusetts, there was heard a muttering about the insecurity of living under a government not administered according to written and known rules. "The people had long desired a body of laws, and thought their condition very unsafe while so much power rested in the discretion of Magistrates." One would say that this was not unwise, but the wisdom of Winthrop and some of his colleagues concluded otherwise. "Two great reasons there were which caused most of the Magistrates and some of the elders not to be very forward in this matter. One was, want of sufficient experience of the nature and disposition of the people, considered with the condition of the country and other circumstances, which made them conceive that such laws would be fittest for us which should arise *pro re nata* upon occasions, etc. And so the laws of England and other States grew, and therefore the fundamental laws of England are called *customs, consuetudines.* 2. For that it would professedly transgress the limits of our charter, which provides we shall make no laws repugnant to the laws of England; and that we were assured we must do. But to raise up laws by practice and custom had been no transgression; as in our church discipline, and in matters of marriage, to make a law that marriages should not be solemnized by ministers is repugnant to the laws of England, but to bring it to a custom by practice for the Magistrates to perform it, is no law made repugnant, etc." * So the Magistrates, avoiding as far as might be an invidious attitude of opposition, put in action their familiar policy of embarrassment and delay.

John Cotton, from a Committee raised by the General Court "to make a draft of laws agreeable to the Word of God, which might be the fundamentals of this Commonwealth" tried his ready hand at the agitated moment of the Pequot war and the Antinomian controversy and "did present a copy of Moses his judicials, compiled in an exact method." This code was obviously so far from being what was wanted, as to afford an easy opportunity for giving the whole thing the go-by for the time.

After two years more the General Court "ordered that the freemen

* Winthrop, History of New England, Vol. I. pp. 322, 323.

of every town, or some part thereof chosen by the rest, shall assemble together in their several towns, and collect the heads of such necessary and fundamental laws as may be suitable to the times and places where God by his providence hath cast us, and the heads of such laws to deliver in writing to the Governor for the time being," to be "presented to the General Court for confirmation or rejection as the court shall adjudge." * This scheme, too, came to nothing, and others like it.

To make a long story short, the undertaking was baffled till the course of time and events had broken the force of the objections which had lain against it. On the one hand, in the experience of a few years the characteristics of a useful jurisprudence had disclosed themselves, and on the other, the English Parliament was crowding hard upon the King, and in consequence the fear of impending interference from England was dying out in Massachusetts. In 1641 the cautious guides of public action had become disposed to gratify the popular wish for a legal code. The General Court committed the business to the Governor, — Bellingham, a learned lawyer, — and in December of that year the Court, with unanimous consent, "established the hundred laws which were called *The Body of Liberties*." † This code, the basis of the Statute Law of Massachusetts, and indeed of all New England, was drawn up by Nathaniel Ward, author of the very witty, and once very famous book, the "Simple Cobbler of Agawam." ‡ He was now minister of Ipswich, but had in England been "a student and practicer in the courts of the common law."

The Body of Liberties was, on the one hand, the proper foundation, and, on the other, the beginning of a superstructure, of the full system of legal provisions which was desired. In the fifth year after its adoption, Bellingham and Ward were authorized to prepare a volume of Statutes, which was accordingly published in 1648. The General Court had "found by experience the great benefit that doth redound to the country by putting of the law in print." § There were two more publications of the Statutes in the time of the old charter, namely, in 1658 and in 1672, || in which latter year also Plymouth printed its code.

After the vacating of the colonial charter by a decree of the Lord Chancellor in 1684, came the lawless government of the Council, with Joseph Dudley for its President; then the despotism of Sir Edmund Andros; then the provisional administration, with Bradstreet at its

* Palfrey, History of New England, Vol. II. p. 22, note 3.
† Winthrop, History, Vol. II. p. 55.
‡ Ibid.
§ Palfrey, Vol. II. p. 260.
|| Ibid., p. 394, Vol. III. p. 40.

head; and lastly, the provincial charter of William and Mary in 1692, from which was taken a new departure on the voyage that was to terminate at Lexington and Bunker Hill. Of the Statutes of the Province of Massachusetts, that is, of the laws enacted between the Revolution of 1689 and the Revolution of 1775, eight collections were published, besides the publications of laws of single courts; namely, in 1699, 1714, 1724, 1727, 1742, 1755, 1761, and 1763. There would have been another in 1773, but Governor Hutchinson arrested the action of the General Court to that effect. In 1729 there was also published a volume exhibiting the series of past legislative proceedings bearing on the controversy still pending at that time, about the granting of stated salaries to the governor, lieutenant-governor, and judges.

Five years ago the Legislature of the Commonwealth authorized the appointment by the governor of three or more commissioners "learned in the law and in the history of Massachusetts to prepare for publication a complete copy of the Statutes and Laws of the Province and State of Massachusetts Bay from the time of the Province charter to the adoption of the Constitution of the Commonwealth"; a work which was diligently executed by those eminent lawyers, Ex-Governor Clifford, Mr. Ellis Ames, of Canton, and Mr. Abner C. Goodell, of Salem. This preliminary work being done, the General Court, three years ago, authorized the printing and publication of the series of Provincial Statutes, of which accordingly the first volume is now before us, covering the period between the charter of William and Mary and the death of Anne (1692–1714).

The book has been edited by Mr. Ames and Mr. Goodell, with the skill and diligence promised by the reputation of those distinguished jurists. It contains all the public acts known to have been passed within the period, except four which have not yet been found, but which are known to have related only to grants of pay to the Governor and the county commissioners and to assessments of taxes. It is furnished with a complete apparatus for the facilitating of reference; with an elaborate index of subjects, with a table of names of persons and places, and with lists of the titles of public acts, private acts, joint resolves and orders, and separate resolves of each branch of the legislature. It presents the marginal notes of the old impressions, as a sort of nearly contemporaneous commentary by competent persons, and thus, "nearly of equal authority with the laws themselves." Against each act subsequently referred to in any reported decision of the Supreme Court it inserts a memorandum to that effect; and against each act disallowed by the English government by virtue of a clause in the new charter, the fact, the date, and generally the alleged reasons

of such disallowance are recorded. Finally, the record of the acts of each General Court is followed by notes relating to their history and policy, the objections made against them, whether here or in England, and the manner in which they were affected by later legislation, the materials for these comments being largely drawn from the journals and files of the English Privy Council and of its Committee for Trade and Plantations.

Nothing need be said to show how great is the interest of this work alike for the general student of history and for the professional jurist. To the former it is especially attractive from its relation to that social revolution which was brought about in Massachusetts by the substitution of the provincial charter for the primitive charter of King Charles the First. Our attention is arrested on the opening of the book, where, on the first page, instead of the plain old phrase, redolent of the *corporation* origin, "it is ordered," or "the Court does order," we have an enacting clause in the adopted form, "Be it ordered and enacted by the Governor, Council, and Representatives convened in General Assembly, and it is hereby ordered and enacted by the authority of the same." We are apt to speak in a loose way of the franchise of citizens of the colony of Massachusetts. The fact is, that whoever possessed and used the franchise, whoever voted, in colonial times, did so by virtue of his having been admitted to be a member of the corporation created by King Charles's charter under the style and title of "The Governor and Company of the Massachusetts Bay in New England." That Corporation had, it is true, since 1643, transacted its business by means of a legislative department, consisting of two branches. But only one branch — the Magistrates or Council — had been expressly created by the charter, which provided that it should be elected by the body of freemen, who were also to exercise other powers when assembled in their General Court. The other branch was created by a straining, at all events, — if we will not say by a fiction, — of law. The freemen, having become numerous, and being so scattered among dangerous Indian neighbors that it was inconvenient for them to come often together, said that it was not unreasonable, and would do no harm to anybody, for them to exercise by proxy — that is, by elected agents — some of the powers vested in them by the charter, and other powers made necessary by what had come to be their situation, instead of all travelling down to Boston, and leaving their families unprotected, and their fields unploughed; and hence arose the House of Deputies in its rudimentary state. The later charter given by the elected Dutch King of England knew nothing of any "Governor and Company of the Massachusetts Bay."

Henceforward the dwellers in this country were "our good subjects the inhabitants of our province or territory of the Massachusetts Bay," and the freemen, or voters, were as many of those good subjects as possessed a freehold to the value of forty shillings per annum, or other estate to the value of forty pounds sterling. They could no longer choose a Governor, Lieutenant-Governor, and Secretary, as the freemen of the Corporation had done. The King was henceforward to provide them with these officers. They had no longer an unrestricted choice of a Council. Their Deputies, with the last year's Council, nominated Counsellors from year to year, but the King's Governor might, if he pleased, say that he would have none of them. They could not, by their Representatives, appoint Judges as of old; Judges were to be nominated by the Governor, subject to a negative by the Council. They were not free to legislate by functionaries empowered by themselves. The lower House continued to represent them as of old. But not as of old, any action of the House, to be effective, must now get the favor first of a Council not absolutely of their own making; secondly, of the King's Governor, whose veto was conclusive; and lastly, of the King's Privy Council, who, by virtue of a clause in the new charter, might repeal and annul any law of Massachusetts at any time within three years from its passing.

It is a study to observe the attempts of the local leaders to keep, under the new charter, as much as might be of the liberty and self-government enjoyed under the old. The imported King of England, perhaps not the less because royal prerogative was a new luxury to him, loved prerogative not much less than his unlucky father-in-law, and any Calvinistic enthusiasm on his part which his subjects in New England may have supposed would bring him and them into sympathy, they soon found they had counted on too sanguinely. His first Governor, Sir William Phipps, was well known to the Massachusetts patriots, among whom he was born and lived, as a thick-headed person, and on that knowledge they may have founded some flattering hopes. But the surly and business-burdened king on the one hand, and the dull and well-disposed Governor on the other, were not the only potential parties they had to deal with. The English Board of Trade was jealous by constitution and habit. The crown lawyers, Sawyer and Treby, had been mixed up in the old colonial controversy, and had its story by heart, from title to colophon. The Attorney-General was watching them like a lynx. There were not wanting witty people in Massachusetts in those days, but they needed to be wittier than they were, if they would outwit John Somers. He was in no hurry about setting right their disagreeable legislation. He knew

better than that. They had accepted the new charter with reluctance and misgivings. Many of them had taken it as simply unavoidable, and yielded to it with much indignation and discontent. It was not worth while to contradict and disappoint them while they were in such a sore mood. The influence of time and habit is soothing, and after a little while they would be more tractable and patient, while on the other hand no great advantage would be lost on the King's part by a little delay, and something material would even be gained by having it seen that if he procrastinated he did not forget, and that his long silence was not to be construed as giving consent. So not until nearly the end of the three prescribed years of the King's privilege in respect to legislation in Massachusetts did the disallowances of his Privy Council begin to come over. The first Governor under the new charter arrived in Boston from England, where, with President Mather, he had been treating about it, in May, 1692. The newly constituted legislature came together in the following month. Its first enactment was "that all the local laws respectively ordered and made by the late Governor and Company of the Massachusetts Bay and the late government of New Plymouth, being not repugnant to the laws of England, nor inconsistent with the present constitution and settlement by their Majesties' royal charter, do remain and continue in full force in the respective places for which they were made and used, until the tenth of November next." When November came the provision was indefinitely extended as to time. Both enactments were duly certified to England, and the Province rejoiced in the quiet of its ancient administration, and looked for that completion of three years which would confirm it past recall. But the Privy Council counted the months as attentively as they, and just before the three years were out (August, 1695) it broke its delusive silence. "How is this, gentlemen of the General Assembly of Massachusetts?" said the King's managers; "you legislate compendiously. Have the goodness to inform us with 'express and particular specification' what were 'all the local laws,' established during seventy years, which you have been re-enacting in a single sentence, and we will let you know what the King will do about it. Meanwhile your re-enactment is disallowed, and of no effect, and you must begin again."

So the unjust Navigation Laws of England were extremely hurtful to Massachusetts, and how to escape or relieve their operation in the Province was a standing problem. The government at home was excessively tenacious of them. The Board of Trade had scarcely an eye for anything else. Day by day the Royal Exchange was noisy with stories of their evasion by the cunning traffickers of New England. Decorum and prudence alike required of the newly con-

stituted government of the Province to look to this important matter, and the way they took was, in their first session, to pass an "Act for the erecting of a Naval Office." The object of this law, as set forth in the Preamble, was, "the due and more effectual observation of said Act of Parliament, and that all undue trading, contrary to the said Act, may be prevented in this their Majesties' Province of the Massachusetts Bay," and the method was to appoint nine revenue officers in the Province for so many different ports. The King's Privy Council did not see this adaptation of means to ends in the same light as it was viewed here, and the law was set aside on the ground that the functions assigned by it to collectors of local appointment, were, "by divers Acts of Parliament, reserved to such officer or officers as shall be appointed by the Commissioners of his Majesty's customs." Of the ten acts passed at this session the last related to Harvard College. With the annulling of the charter of the "Governor and Company of Massachusetts Bay," it was held that the corporations that had been created by it — that of the college among the rest — had fallen (*vitulus in matris ventre mortuus*). Dr. Increase Mather, the Governor's pastor, and joint negotiator of the Provincial Charter, got an Act passed creating a governing corporation for the College to consist, in the first instance, of himself as President, and a Treasurer, and eight Fellows (mostly his friends), with perpetual succession by its own election, and dispensed from the former responsibility to a Board of Overseers. The King's advisers had no favor for such independent institutions for the training of the young. "Whereas," they wrote, "no power is reserved to his Majesty to appoint visitors for the better regulating the said College, the said Act hath been repealed, that the General Assembly may renew the same with a power of visitation reserved both to his Majesty and the Governor or Commander-in-Chief of that Province."

The first Act of the next session, consisting of nine sections, was in the nature of a Bill of Rights. It contained the following memorable provision, which, had it become law, would have removed the occasion for the War of Independence: "No tax, tallage, assessment, custom, loan, benevolence, or imposition whatever, shall be laid, assessed, imposed, or levied on any of his Majesty's subjects, or their estates, on any color or pretence whatsoever, but by the act and consent of the Governor, Council, and Representatives of the people, assembled in General Court." But the Privy Council disallowed the Act, assigning as one of two reasons for so doing, that it allowed "bail to be taken in all cases except treason and felony," which "with other privileges proposed by the said Act had not been as yet granted by his Majesty in any of the plantations."

It would take too much space to present even a general view of

the legislation of Massachusetts in that transition period of twenty-two years which is covered by this volume. The incapable administration of the first of King William's governors, and the careless and friendly rule of the other were of short duration. The recreant son of Massachusetts, Joseph Dudley, governor for Queen Anne, opened the game which was not to be played out till ten years after the Stamp Act. Dudley brought urgent instructions to make the Province provide stated salaries for the Governor, Lieutenant-Governor, and Judges. This was a demand to which the Province could say No, if it would, taking of course the responsibility of denial, and the peril of such displeasure on the sovereign's part as it might provoke. By the terms of the charter, it belonged to the "Great and General Court or Assembly" to raise and dispose of money for "the necessary defence and support of the government of the Province." Without its free grant, no money could be had from it. If by establishing stated and permanent salaries it should release from dependence upon it the Governor and Judges (creatures as these were of the King, the one immediately, the other indirectly), those officers would become the uncontrolled instruments of the arbitrary designs of the court. The Province would do nothing of the sort. From that position neither wheedling nor menaces ever moved it. Dudley, energetic and astute and plausible, pressed the claim stubbornly through more than half of his fourteen years administration, but he gained not an inch of ground. Governor Burnet, the genial Bishop's son, tried his deft hand at it, and perhaps the story of the time was true, that his disappointment broke his heart. At all events, however it might be about the impracticable knot's strangling him, he did not loose or cut it. The popular Governor Belcher, grandson of the Cambridge inn-keeper, got on no better, though he had it in charge to say that unless there was a reformation, "his Majesty would find himself under the necessity of laying the undutiful behavior of the Province before the legislature of Great Britain." The Province persisted in its refusal, and the next Governor and his successors desisted from the hopeless movement. The question outlived by several years the time of Queen Anne and Governor Dudley. But the fencing upon it during the early stage is a noticeable feature of this volume.

A smaller but by no means unimportant matter related to the right of appeal by disappointed suitors from the local courts to the King in Council. In the "Act for the establishing of judicatories and courts of justice within this province," passed by Governor Phipps's first General Court, this right was secured to dissatisfied parties "in personal actions not exceeding £300, and no other." The Privy Council set it aside, the limitation "not being according to the words of the charter, and

appeals to the King in Council in real actions seeming thereby to be excluded." The next year Massachusetts tried again to establish the same principle, and with the same ill-success, in the institution of a Chancery Court; and the experiment was repeated, and once more defeated two years later. A law of 1697 "for establishing of Courts" ordained "that all matters and issues of such should be tried by a jury of twelve men." The Privy Council said No, inasmuch as Admiralty Courts knew nothing of juries, and it belonged to the Admiralty Courts, "at the pleasure of the officer or informer," to administer the precious Navigation Laws. An "Act establishing of Seaports within the Province," and designating eight ports of entry and clearances, had to undergo the same ordeal, and was rejected for the reasons that it was a function of the royal commissioners of the customs to designate ports of collection, and "that the establishing of so many ports in such inconsiderable places" would be "a great means to encourage and promote clandestine and illegal trade." The Provincial legislature set about "encouraging a Post-Office," but the movement appeared to the Privy Council "to be prejudicial to the office of the Postmaster-General," whose patent included "the Post-Office in America"; accordingly they were "humbly of opinion that the said Act be repealed," and their humble opinion prevailed. An "Act for the better securing the liberty of the subject" gave a right to the writ of *habeas corpus*. Even the bigoted Tory historian Chalmers says they were wrong in this proceeding, as, if the right needed to be supported by a statute, they ought simply to have assumed it as belonging indefeasibly to every subject of the English realm. But King William's Privy Council took advantage of the false step, and reviving one of the most insolent doctrines of the despotism of Andros, snuffed out the law, because the "privilege" which it bestowed had "not as yet been granted in any of his Majesty's Plantations." Another Act in 1697 "for incorporating Harvard College" gave a power of visitation to the Governor and his Council; but this sharing of the visitatorial power did not come up to the demands of the home government, and the Act was thrown out accordingly. It was one of the last formal Acts which met that fate. As far as we have observed, no Act of a later date than 1698 — that is, no Act of the time of Lord Bellamont, or of Dudley, or of the interval between them, when Stoughton was at the head of the administration — was disallowed by the powers at home. Either they had become less wary or less fastidious, or the Massachusetts people had come better to understand how much they might undertake for their own benefit, with a reasonable prospect of carrying it through.

The operation of the new charter, with its conditions for the franchise and other provisions, led to a relaxation of the ancient religious

severity, and of what remained of the ancient connection of the clergy with the government, — a change which had its indications among others in the establishment of the church in Brattle Street on principles of some novelty, and in the controversies which were beginning to be stirred in and about the college. One is the more surprised to find, as late as 1695, a law abridging the powers of non-communicant members of churches in the choice of their minister. An act passed three years before had recognized the right of all inhabitants of a town to participate in the election of the pastor whom all had to aid in supporting. It was now provided that if a majority of the inhabitants disapproved a choice made by the church-members the church should "call in the help of a council consisting of the elders and messengers of three or five neighboring churches"; and if this council should approve the church's action the election should be held to be complete, and the town must provide for the maintenance of the minister so elected and confirmed.

The tax-bills of the time show the relative wealth of the towns. In 1694 the ten richest towns stood in this respect in the following order; namely, Boston, Ipswich, Salem, Newbury, Charlestown, Dorchester, Watertown, Marblehead, Lynn, Cambridge. Twenty years after this order was but little changed, except by the division of municipal territories, as, for instance, the separation of Lexington from Cambridge, though some towns, as Springfield and Hingham, had been growing into importance. With only two or three exceptions, and that for small amounts, Boston had paid a tax through the whole time not less than four times as great as that of Ipswich, the next richest town.

To undertake to comment on the contents of a thick statute book would be something like attempting to make an abstract of a dictionary. A thoughtful reader of this volume will see reason to apply to many and many a page the remark forced from the unfriendly but able and knowing Chalmers when he compared New England with the colonies of the South. In cases where the legislation of Massachusetts did not cross the higher powers at home, he was clear-sighted and fair enough often to see and praise its wisdom. Writing nearly a century after the enactment of some laws which he named of the early provincial period, he said that they "not only marked the spirit of the people, but were probably the cause of the most lasting consequences," and that "to these salutary regulations much of the populousness and of the commerce of the Massachusetts is owing." The course of nearly another prosperous century has now added its testimony to the wholesomeness and durable efficacy of those primitive regulations, and this, too, in respect to matters more vital than were dreamed of in the philosophy of that juiceless economist.

8. — *American Political Economy; including Strictures on the Management of the Currency and the Finances since* 1861, *with a Chart showing the Fluctuations in the Price of Gold.* By FRANCIS BOWEN, Alford Professor of Natural Religion, Moral Philosophy, and Civil Polity in Harvard College. New York: Charles Scribner & Co. 1870. pp. 495.

PROFESSOR BOWEN'S new work on Political Economy (for such, although nominally a new edition, he declares it in effect to be) comes at a time when our people much need to be reminded of the existence of such a science; though it is at the same time unfortunate in this respect, that there has seldom been a more widely spread disposition to deny the fact. The national stomach has been so nauseated with the multiplicity of doctors and of remedies, that it leans strongly to the expectant system of *laissez-faire*, in the somewhat ludicrous sense, perhaps, which Mr. Bowen gives to the phrase, — that of securing the freedom of the individual by tying the hands and feet of everybody else lest he should be interfered with.

The book appears to us to be unusually readable. The English works on the subject are in a great degree theoretical and, therefore, dry. Professor Bowen charges them with being written mainly on the deductive principle; and in the attempt to change the method to induction he certainly adds materially, by practical illustrations, to the interest of the subject. The term "American" savors slightly of congressional rhetoric, and we do not remember having seen an English or a French Political Economy. It is not, however, an unmeaning phrase. Mr. Bowen adduces the conditions of property and population in this country to show that the principles underlying the reasoning of English economists are based upon the peculiar form of English society, and that much of human suffering, charged by the writers of that nation upon the necessary conditions of social existence, is in reality attributable to unjust social arrangements. Malthus on population, and Ricardo on rent, are the great dragons against which he feels bound to do vigorous battle. On the other hand, Mr. Bowen certainly cannot be charged with socialistic tendencies.

The subject of free-trade is one upon which Mr. Bowen will give least satisfaction to the English mind. Having read a good deal upon this question, with an impartial mind as we trust, we confess that the disputants seem to us to resemble the two knights who were fighting about the golden and silver shield. In the artificial condition of modern society, absolute free-trade is a chimera. So long as England, the champion of the doctrine, raises any revenue from customs, or subsidizes a

single line of steamships, she does not stand above reproof. In this sense Mr. Wells, who has served as a bone of much contention of late, is no more a free-trader than he is a Jew. He admits that, notwithstanding a tariff of over forty per cent on the average, there is hardly an article which during the last five years could not be imported cheaper than it could be manufactured in the United States. But, while urging reform of the tariff, he by no means advocates its abolition. At a time when even this high tariff is nearly offset by internal taxation and the vicious state of our currency, and when the state of our foreign trade is such that we are running into debt abroad at a rate of fully two hundred millions a year, it seems hardly judicious to talk of taking off all check upon foreign importations. The fact appears to be that it is a question entirely of expediency, and that the evil in our case consists in the varying adjustment of the tariff by private interests working in secret committees. The remedy is, we think, to be found, not in declamations upon free-trade, but in treating the tariff in connection with the whole scheme of finance to be introduced into Congress by the executive, and discussed in public in the interest of the whole people.

The nature and operation of money form the rock upon which political economists are most apt to split. It is unfortunate for this branch of the science that the practical experiments are almost wholly conducted by men who have little interest in general principles, and less knowledge of them, while theorists have usually but little opportunity for practical observation. If Mr. Bowen could pass five years in a broker's office in Wall Street he might learn much upon this subject that he will never reach through books alone. The labors of Mr. J. Stuart Mill in this department have produced very little fruit, while those of Lord Overstone have resulted in the establishment of the present Bank of England system, — a system which has done very much for the establishment of a sound currency, and which, though not untainted with evil that demands a similar mind to secure its elimination, cannot be too much recommended as a subject of study for our financiers. We are sure that Mr. Mill, and we believe that Mr. Bowen, has but a very imperfect comprehension of the principles on which that system is based.

It is Mr. Bowen's great error with regard to money — one which he shares with other theorists — that he greatly undervalues its importance. Treating money merely as a medium of exchange, he regards it simply as an agent for facilitating the operations of commerce, and through it, as the shadow, he seeks to pass to the substance behind. We, on the contrary, believe that money, as distinct from credit, is

one of the most positive and powerful of forces for good and for evil. Mr. Bowen defines money as consisting in strictness only of specie. Currency he defines as the *current* substitute for money, including under it notes payable on demand, promissory notes, bonds, bank deposits, etc. This definition we hold to be vitally erroneous, and would rather define money or currency — believing them to be equivalent terms — as including everything which will pay debts, make purchases, etc., without introducing any question of its own price. This definition applies to specie, notes payable on demand to bearer, and bank deposits. It does not apply to promissory notes or other obligations payable at a future time, because with them there is a question of interest, that is, of price. The paper money of Great Britain and that of this country before the war, being both convertible into specie, were equivalent to specie and therefore to each other, and were actual additions to the money of the world. They were not substitutes for money, but money itself. A gold dollar possesses an intrinsic value; but if a paper dollar can be made to do the same work, and also be exchangeable at pleasure for the gold dollar, the paper has for the time exactly the same value as the gold. That this value may be diminished or destroyed by over-issue is no refutation of this view. When, therefore, the economists set themselves to estimate the decline in the value of gold, from excessive production, they overlook the fact that the increase of money in the form of bank-notes and deposits in the last half-century is at least twice or three times as great as that in the form of specie. Yet so enormous has been the expansion of the commerce of the world, and the consequent increased uses for money, that its value has probably not declined more than about one half.

Mr. Bowen defines floating capital as "the aggregate of merchandise of all sorts directly exposed for sale." We believe that money — even paper money — as the measure of value and the instrument of exchange, is capital just as much as, though not more than, a yard-stick, a plough, or a factory; though as the latter are used only for limited purposes, while money enters into almost every transaction of our lives, its value as capital is exaggerated in the popular view. Mr. Bowen is occasionally led into contradictions by the clashing of facts with his arbitrary definitions. On page 248 he says: "To increase the stock of money in a country is not thereby to augment the fund available for loans, or to diminish the difficulty of borrowing, or to lower the rate of interest." On page 305: "The great addition to the stock of precious metals will appear, at first, in the form of *floating capital* seeking investment. Thus, until the prices of commodities begin to be sensibly affected, there will be more lenders than borrowers, and

money will be offered at a lower interest." We agree with the latter of the two views. An increase of money makes it abundant, until a rise of prices or a new development of business absorbs the surplus. Were it possible for the increase of money to be steady and constant there seems to be no reason why business should not have a steady prosperity and development. Unfortunately the increase of bank money has a limit; and sooner or later, under the existing system at least, a contraction follows, which is generally sudden and severe. Commercial crises, which Mr. Bowen attributes almost wholly to speculation, we believe to be mainly chargeable to fluctuations in the quantity and value of money produced by the voluntary, though perhaps unconscious, action of banks.

We have differed from Mr. Bowen as to deposits being money. He may probably be still more incredulous at the statement that deposits are money created by the banks exactly as their notes on demand are. But we make the statement with confidence, though we have not now space to enter upon the proof of it. In view of this, any system which shall attempt to regulate bank-notes without also reaching the deposits must fail of its purpose.

There is another popular error into which Mr. Bowen seems to have fallen, — that of measuring the depreciation of our currency by the price of gold, and supposing that a fall of the latter indicates improvement of the former. It is undoubtedly true that this must, in the long run, be the test; but it may be altogether falsified for the time. The demand for our securities in Europe has for some years been such as to offset an adverse foreign trade with but little export of gold. And, as there was no use for gold at home, even the small amount upon the market has been sufficient to depress the price. If, as we believe, our general prices are much higher, the fall in gold is simply a premium upon imports, and these will continue in excess till, the demand for securities being satiated, a drain of gold must take place; the price will then probably rule as much too high as it is now too low.

The history of our greenback currency, the National Bank system, the creation and form of our own and foreign debts, with our own and foreign systems of taxation, — all these are subjects which Professor Bowen treats at length, and into which we should be glad to follow him. We yield to the lack of space, however, with the less regret from the conviction that what the country needs is, not so much a sound exposition as the practical application of *any* principles. It is doubtful if the theory of finance has ever been so extensively discussed as in the publications of this country for the last few years. Yet when one looks at the utter confusion in the debates and

action of Congress, the total want of plan, and defiance of all settled principle, it makes one look with anxiety for the mind which is to bring order out of this chaos. And the extraordinary feature about it is that this recklessness has hitherto been attended with apparent success. Diminution of debt and the approach of gold to par, these are the popular tests of improving finance. It needs no very keen observation, however, to perceive — and indeed the depressed and expectant attitude of business shows a growing consciousness of the fact — that financial laws are silently working out their mission, and that the recoil must sooner or later be the more violent from the long and severe tension with which they have been resisted.

LIST OF SOME RECENT PUBLICATIONS.

1. Systems of Land Tenure in Various Countries: A Series of Essays published under the Sanction of the Cobden Club. London: Macmillan & Co. 1870. 8vo. pp. 420.

2. Alaska and its Resources. By William H. Dall. Boston: Lee and Shepard. 1870. 8vo. pp. 640.

3. The Invitation Heeded: Reasons for a Return to Catholic Unity. By James Kent Stone, S. T. D., late President of Kenyon College, and of Hobart College. New York: The Catholic Publication Society. 1870. 12mo. pp. 341.

4. Poems. By Dante Gabriel Rossetti. Boston: Roberts Brothers. 1870. 12mo. pp. 280.

5. The History of English Poetry, from the Eleventh to the Seventeenth Century. By Thomas Warton, B. D. From the last London Edition. New York: G. P. Putnam and Sons. 1870. 8vo. pp. 1032.

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ART. I. — *A Historical Account of the Neutrality of Great Britain during the American Civil War.* By MOUNTAGUE BERNARD, M. A., Chichele Professor of International Law and Diplomacy in the University of Oxford. London: Longmans, Green, Reader, and Dyer. 1870.

THE late war of the Rebellion suddenly brought the United States into a very novel position. We had enjoyed almost unbroken peace since the acknowledgment of our independence by Great Britain, in 1782; and the single important war of the present century to which we were parties had had its rise in violations of our rights of neutrality. But now, all of a sudden, we became belligerents, before either the country or the government was fully acquainted with the new part we had to act. Would it be strange if a nation so situated should abandon its old ground, should stretch belligerent and contract neutral rights, or should even make claims which it had contested when they were advanced by others? Then another peculiarity of our situation lay in the nature of our institutions. Such a federal union had not been known before at all, and a disruption on so vast a scale was new to history and to international law. The organizing power, so strikingly cultivated under our forms of liberty, and the proximity to one another of States having a common interest and common apprehensions, made it easy for them to secede and form a new union, — as

easy, in fact, as it is, under the facile divorce laws of some of the States, for a wife to rid herself of her husband and take another. This sudden birth of a new confederation, ready for defence or aggression, gave to the foreigner an impression of a want of coherence between the parts of the Republic, of a fatal weakness at the centre of our system, which augured a vain attempt to repress revolution either by force, or by concession which would forever enfeeble the general government. And as soon as the struggle began, it seemed, when looked at from abroad, like a full-blown war,—a war, too, over so vast a territory, and against a foe so well organized and so determined, that the issue was not doubtful. Who would not call the parties to the revolt belligerents? On the other hand, from our point of view, the movement at the South appeared like one of the many threats that had been made before: it meant no permanent withdrawal from the Union; it would need marshals and district judges, rather than generals and commanders of ships; a few months would bring wisdom back into feverish minds, especially when they found that at the North no active help was to be hoped for. The government, therefore, was unwilling to admit that a war was upon us, while it took war measures; the enemy was not a belligerent; and if we had had ships enough to set on foot a rigorous blockade of all the Southern coasts, scarcely any levies of troops would be needed. The courts and district attorneys would soon do their work in the restoration of civil order. If we add the consideration that civil war grows from small beginnings, without announcing itself or revealing what it is to be, it is evident that a difference of opinion on various questions touching the conflict might arise, according as it was watched from near at hand or from across the ocean.

Another point deserving attention, in regard to the contest, was the new questions to which the progress of society during the last half century might give birth. Since the downfall of Napoleon, there had been but short and local wars in Europe. Neutral interest had vastly increased in importance, when weighed against belligerent interests. The Declaration of Paris in 1856 had put a new face for nearly all the nations of Europe on most of the relations of belligerents and neutrals, about which there had been no agreement. The new way of

navigating by steam would render it easier to break blockade, and would spread belligerent vessels over the world, if they could only have a supply of coal. What liberties would neutrals concede in regard to such supplies? Would they change their policy as it respected bringing prizes into their ports? Questions never asked before would now have to be asked and answered.

It was not strange that a war so remarkable in its origin and in its nature, and waged at such an epoch of the world, fastened upon it the attention of the publicists of Europe, some of whom, in their discussions of questions that arose during its progress, have contributed not a little to the science of international law. Soon after the affair of the Trent was known in Europe, a professor in an inland university of Germany — Marquardsen of Erlangen, in Bavaria — gave to the world what is, perhaps, the most satisfactory essay on the points of law involved in that transaction. The speculations of Hautefeuille are better known and less valuable. The essays of "Historicus," especially on the recognition of revolting provinces, were timely and serviceable to the cause of order. Our author, also, who had been for a number of years the Chichele Professor of International Law and Diplomacy at Oxford, gave promise, so to speak, of a larger treatment of the subject by publishing, in 1861, two lectures on the war in America. He had been before known by his valuable contribution on the laws and usages of war, which appeared in the Oxford essays of 1856, and has since published a small work on diplomacy in general, and more especially as illustrated by the peace of Westphalia. In his present work he has performed a service for which the students in his science will be grateful; he has gone over the whole field of claims and questions to which our civil war gave birth. In most of these questions England, as the leading neutral and the principal commercial country, was directly and mainly concerned. A work, therefore, entitled "A Historical Account of the Neutrality of Great Britain during the American Civil War," if faithful to its subject, must be a history of international law, so far as its rules were discussed between the United States and the other states of the Christian world.

A work of such a kind must be estimated by its spirit, by its

plan, and by the success of the execution. Of the spirit we will let Mr. Bernard speak for himself: —

"A writer who undertakes to deal with questions lately disputed, — some of them still in dispute, — between a foreign government and his own, can scarcely hope to be perfectly impartial. But he is bound, before expressing any opinion, to clear his mind from any conscious bias, and he has a right to expect the same sincerity from others. America has many jurists, especially in the department of international law, whom it would be an impertinence to praise. . . . . They will feel as I do, that, divided as we are, and must be, by our national sympathies, we yet owe, as jurists, the highest candor to one another. If I fail in that duty, — if I attempt to apply to America any rule which I should hesitate to apply, under like circumstances, to England, — I am justly to blame, and what I write deserves no attention. International law knows no country; in aim and intention, at least, its rules are uniform and universal, though the conception of them has varied more or less in different places, according to differences of national policy, of local jurisprudence, or of the traditions in which statesmen and lawyers are bred. What it prescribes to any one state, that it imposes on all; and the body of opinion which it represents, and the judgment to which in cases of controversy it appeals, are those, not of England or of America, of Germany or France, but of the whole civilized world."

We bear our testimony, after a careful examination of Mr. Bernard's work, to his upright intention and his prevailing spirit of candor and impartiality. And this will be regarded as very high praise by all who are familiar with the history of opinions on international law; above all, by those who have noticed the sharp lines which formerly separated the jurists of the Continent from those of England, as it regards certain maritime relations between belligerents and neutrals. The example of our author is indeed a model for those on this side of the water who cultivate the same field of science. It is harder for us to be impartial, because we were *de facto* the injured party in the war, which owed its wearisome length and its immense cost in no small degree to the ship-builders and blockade-runners of neutral powers, or rather of a single neutral power. We imputed the injury which we suffered to moral wrong, of which the state or states from within whose borders the evil proceeded were guilty, forgetting that international law, like municipal, must allow much evil to go on for the sake

of a greater good, and forgetting also that our own principles and example when we were neutrals furnish precedents to other neutrals when we became belligerents. If the fairness and coolness of a writer like Mr. Bernard should influence the spirit of American discussion, there would be hope of a speedier solution of certain questions between belligerents and neutrals which must arise hereafter in every important war.

Mr. Bernard's plan is indicated by the title of his work, "A *Historical* Account of British Neutrality," etc. No other method would have been equally satisfactory. The questions discussed between the two governments grew out of particular cases, and the application of particular rules of law; these questions changed during the progress of the war; they could be best understood after a somewhat detailed recital of the circumstances; it was important to give the leading arguments of diplomacy on both sides. In fact, the historical method is alone competent to answer the great question whether, with the progress of intercourse between all parts of the world, the interests of neutrals and belligerents must not be harmonized on somewhat new principles; whether the experience of a vast war like our recent one, as looked at by dispassionate jurists, will not lay a foundation for important reforms in this branch of jural science.

For one thing we are sure that many will be thankful to Mr. Bernard, — for the extracts from state papers in which the leading questions of interest are discussed. Certainly those who know what a weariness to the flesh it is to rummage through volumes of diplomatic correspondence, to go from book to book without finding the passage desired, or to fail of finding it because the volume is missing in an imperfect library of political science, — and all public libraries in this country are imperfect, — will appreciate the labor and the service of our author in making so many important documents accessible to all.

Professor Bernard introduces his work by a series of chapters in which the causes of the war, near and remote, and its first events until after the battle of Bull Run, are succinctly, but very clearly and fairly, described. One extract will show his estimate of the nature of the revolt, as well as of the diffi-

culties with which the United States had to contend in putting it down: —

"The revolt of the Confederate States has some characteristic features. We cannot fail to be struck by the celerity with which the revolted communities established a regular government, the long interval which was suffered to elapse before any attempt was made to reconquer them, and the footing of equality on which the combatants met at their first encounter in the field. The explanation of these things is easy and lies on the surface of this narrative. The eleven States were completely organized as self-governed communities, before they attempted to sever their connection with the Union; as a Confederacy they had only to reproduce and set in motion a machinery with the working of which they were perfectly familiar, and of which both the model and the materials were ready to their hands. Yet, could the Federal government have marched an army on Charleston as soon as South Carolina issued her declaration of independence, the revolt might have been crushed in its infancy, and the Union might have been saved from years of devastation and carnage. But the Federal government was paralyzed, not only by its own weakness, but by peculiar restraints and extraordinary difficulties. It had at its disposal no regular army. . . . . Further, there is no doubt that the Federal government was really embarrassed . . . . by that peculiar reluctance to resort to force which an American government might be expected to entertain. This reluctance, — the consciousness that it was generally felt around him, — the fear lest an attempt to "invade" should drive (as in fact it did) the Border Slave States, in whom the feeling was most keen and irritable, into open revolt, — the hope, which many sensible and experienced men were loath to abandon, that attachment to the Union might yet survive, and the Confederacy, if left to itself, crumble away, — these influences speak in Mr. Lincoln's inaugural address, though they can hardly be said to supply a reasonable account of his policy."

It may be added to all this, that the government was in a peculiarly helpless condition when the new President came into office, and that the North was too divided in politics to be calculated upon for any immediately efficient policy. It was necessary that the insurrection should begin the armed contest and sever the Union by violence, in order to show to their political friends in the North what they were ready to do. The bombardment of Fort Sumter, therefore, if war was inevitable, was a blessing, because it forced men to choose a positive line of action.

The readiness with which the Southern Confederacy was organized was fitted to make more impression of strength and firm purpose on foreigners than on ourselves. The spirit of political organization is too familiar to us to excite surprise; and the Constitution of the Confederate States was nothing but the old one altered to provide against the overthrow of slavery. But while something more was needed to persuade us that the Southern movements meant permanent secession, often threatened, but never accomplished before, to the eyes of Europe the Montgomery Constitution meant complete and final disruption, a separate nationality, and war in case of collision. To the foreigner, a new nation seemed to be coming into existence; to us, the movement seemed frantic and short-lived. Both were in error. Our ignorance was, probably, essential to our success. The misconception on the other side of the water was founded on what may be called deceptive facts, and thus it had an important bearing on questions of belligerency and neutrality.

The questions whether there was a war between the Union and the Confederacy, and when it began, Professor Bernard does not discuss, but rather relies on American authorities, and mainly on the decision of our Supreme Court. The principal points in the opinion of the majority of the judges were that at and before the date of the President's proclamation of blockade a war was in existence; that the blockade was an act of war instituted *jure belli*, not originating war but presupposing it; and that from the fact of war all persons in the Confederate States acquired a hostile, and in foreign states a neutral, character. This neutral character exposed neutral vessels to capture on the high seas, — a liability which the fact of war alone, and no municipal regulation or exercise of public authority, could justify.

But a civil war, especially one where territorial lines divide the parties, has peculiarities of its own. It places individuals in the territory attempting to gain independence in new relations to the old Constitution and government. "A government supposed to be sovereign is at war with those that are supposed to be its subjects. There is a clashing of incompatible relations; the same person being, if a loyal inhabitant of a

revolted territory, both a citizen and a public enemy, or, if a disloyal, and taken captive in actual war, treated as a subject of a foreign nation. And even the unlawful governments themselves may be regarded, in certain respects, as exercising a just authority. Such are the conflicts of right and fact in the case of a community having a political existence and endeavoring to change the form of that existence." Is it strange, asks Professor Bernard, that this anomalous condition should affect international relations also? Suppose such a community to commit wrongful acts against foreigners, to whom is the foreign state to apply for redress when the sovereign is helpless, and the insurgents may, erelong, lose their *de facto* existence? And if the foreigners have had commercial intercourse with the insurgents as well as with their sovereign, on what terms is that intercourse to be continued after an armed conflict has begun? On the sea especially, shall they submit to be searched by either or by both parties to the civil war? If they submit, for instance, to search exercised by the old established government only, and resist it when exercised by the revolutionists, they are not neutrals, but parties to the war, if that state of things can be called war which is unilateral, in which there is only one belligerent. They are thus forced in every such case, although they have stood aside altogether from the causes of the war, to become parties to it. The simple practical solution here, to use our author's language, "is found in recognizing both parties as belligerents; that is (to expand the phrase into an expression of its full meaning), as entitled, in respect of the neutral, to all those exceptional rights and powers with which sovereign states at war with one another are clothed by international law." The recognition of these rights draws after it the recognition of the means by which they are exercised, — of prize courts established in the manner known to the law of nations, of commissions issued by the government of the community attempting to become a state, of a flag by which its cruisers are known upon the sea.

It has sometimes been said that such states struggling into existence have a *right* to be recognized as belligerents when their organization and means enable them to carry on regular warfare, and they are in actual conflict with their parent states.

It is not only a concession on the part of the neutral, but it is obligatory upon the neutral, to recognize them. Our author objects to this language, but thinks that recognition has been sanctioned in such cases by the practice and opinion of nations, not solely with a view to the protection of the neutral, but on wider grounds of general expediency. The application of the ordinary rules of war to civil conflicts makes them more humane and regular, and restricts the sphere of their injury. Hence he is willing to adopt the rule, that recognition of belligerency ought not to be withheld, as being on the whole an advantage to the world.

Here, while we agree with our author in his doctrine as it respects recognition of belligerency, we are constrained to make one or two qualifying remarks. The first is that no rule of international law *forces* a neutral state into an impartial attitude between two such belligerents. It has its choice between aiding the parent or already existing state and entire neutrality. Alliances have existed between two sovereignties, stipulating the integrity of each other, and such treaties are considered lawful. In such cases there is a positive obligation to assist a state against a rebellion aiming at its political life. But the principle is the same when, after the outbreak of a rebellion, a state offers its assistance to another. It is assistance, not against a state known to nations, but against a nondescript thing which has as yet force and not law on its side, against a monster, out of the pale as yet of the law of nations, and which threatens the order of the world. It may grow into the proportions which civil order can protect and recognize, but it is well for human quiet if it fight its way into political existence by itself. International law is made for nations, and sides with the established condition of things. It does not frown on help offered by one friendly state to another, and yet it allows states to sit still and see their friends fight their own battles. It frowns on the two extremes of aiding in the disruption of a state, and of refusing to speak or even to act when gross inhumanity is practised towards rebels.

Another remark which ought to be made here relates to the length of time during which this rule of belligerency has been maintained in civil wars, and particularly in those which may

be called wars of disruption. There is no old precedent for or against the rule, if we are not in a grievous error. The countenance given by England to the Netherlands in their war with Philip is not one, for Elizabeth played fast and loose in her foreign relations as suited the policy of the moment, furnishing ground for war by proceedings beyond the limits of neutrality; moveover, the war in the Low Countries was not a civil war; the feudal prince of the Burgundian provinces was also king of Spain, and the war centred in the person of the Suzerain; it had little to do with the remote state where he was king. We believe that there is no other precedent earlier than the time of our Revolution. The attitude of France during that struggle is well known. From half-concealed and yet disavowed assistance of our cause, the king, not long after Burgoyne's capitulation, jumped into recognition of the United States, and this, as it was expected, brought on war with Great Britain. In the *justifying memorial* which Gibbon wrote, much is said of breach of treaties on the part of France in aiding the rebellion of the Colonies, but the views of international law there expressed are vague and indefinite. The "Observations" of the Court of Versailles, in reply, contain the modern doctrine in tolerably clear words. "It results," it is there said, "from the stipulations of the treaty of Utrecht, that the king was not obliged to forbid his subjects, relatively to America, to trade either in merchandise not prohibited or in contraband of war, and that the only obligation imposed on him was not to protect this latter species of commerce. To put this truth in its full light, we may consider the United States under two different points of view, — as subjects of Great Britain, and as an independent nation. On the first hypothesis, they are subject to the prohibitory laws of their mother country. They are forbidden to have direct commerce with any country except England; but how can this prohibition, which is merely domestic, be extended to strangers? . . . . It was thus that the court of London itself judged in regard to this point in the difficulties which it had with the court of Madrid, and which led to the treaty of Pardo. . . . . If, on the contrary, we regard the Americans as an independent nation, or, if the expression pleases better, as a nation with which England is at war, then neutral nations have

no other obligations to fulfil save such as usages or treaties impose on them. Those which France has been bound to recognize are expressed in the articles nineteen and twenty of the treaty of Utrecht. The arrangements contained in those articles authorize commerce in merchandise which is not prohibited, and they do not require the king to forbid his subjects to convey arms and munitions of war to the enemies of Great Britain. They simply say that ships thus loaded, if met even on the high sea, may be stopped and declared good prize of war."

The relations of England and Holland, at the same epoch, became more and more complicated, until they terminated in war. Among other alleged grievances, Paul Jones carried two English vessels into the Texel. The British government demanded these vessels, on the ground that they were captured "by a subject of the king, who, according to treaties and the laws of war, fell into the class of rebels and pirates." The States-General refused to give up the vessels, but declared that they had given orders not to furnish the cruiser with munitions of war or with other things, except such as he needed in order to set sail and reach the nearest port where entrance would not be refused to him. In the course of the discussion, Sir Joseph Yorke, the British ambassador, remarks that "the directions of the States-General, when they require captains of foreign armed vessels to exhibit their letters of marque or commission, give authority, according to the general usage of admiralties, for treating as pirates those whose letters are perceived to be unlawful, as not emanating from a sovereign power." *

The same claim that the flag of the rebellious colonies could not be respected by neutrals was brought forward when the same sea-king, Paul Jones, carried three prizes into a port of Norway. The king of Denmark delivered them up, but the act gave rise to reclamations and demands on our part which ran through more than sixty years.

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* See especially De Marten's *Nouvelles Causes Célèbres*, Tome I. Cause 2, p. 154, and Cause 4, pp. 492–495. For the prizes taken into a port of Norway, see the brief exposition of Mr. Lawrence in his new French Commentary on Wheaton, I. 176–179.

It thus appears that Great Britain at that time denied the present doctrine expounded by Professor Bernard, and now admitted probably by common consent over the world, while France and Holland received it. The doctrine was sanctioned at a subsequent time by our government through the whole history of the struggle between Spain and her South American colonies. Our memory of our own claims in the Revolutionary War, the natural tendencies of thought of a nation almost always neutral, and a most pardonable sympathy with the Spanish Americans in the effort to emancipate themselves from a foreign and unacceptable dominion, not only induced us to take a neutral position between Spain and her colonies, but made it seem right that moral support should be given to the revolters in public messages of the President to Congress. "It was natural," says President Monroe, "that our citizens should sympathize in events which affected our neighbors"; and his own sympathy comes to the surface more than once in mention made of the successes of the insurgents and in hopes that Spain might be induced to give up the contest.

In a recent message of President Grant touching the affairs of Cuba, which, we think, the country has cordially approved, the rule which has controlled the action of the government with reference to a revolting country pending its struggle is expressed in the following words of Mr. Monroe: "As soon as the movement assumes such a steady and consistent form as to make the success of the provinces probable, the rights to which they were entitled by the laws of nations, as equal parties to a civil war, were extended to them." We doubt whether these words express the rule on which either the United States or any other modern civilized nation has acted, and still more whether this can be made the basis of a rational policy. Steadiness and consistency alone, however great in degree, do not make success probable; it cannot be said that the laws of nations entitle any community which is not yet a state to any rights as a state, or to any treatment except that dictated by humanity; and it would be harsh in the extreme to deny to an oppressed people fighting for self-government the right (if so it is to be called) of belligerency, because their cause appears to be becoming hopeless. So much as this is

true, that we have not favored, and ought not to favor, rash and mad revolts, sympathy with which may greatly increase the woes of such as engage in them; but we believe that if the revolt has an organized government, the machinery of war, the spirit of persistence, and is carrying on a *bellum justum* by land or sea, the weight in the other side of the scale would hardly be taken into account. In other words, only the fact of war, as distinguished from insurrection or sedition, is to be looked at by third parties. Still less, if the side of the old government appeared to be prevailing, would it consist with the views of the present age to deny belligerent rights to the rebels, until they had been thoroughly crushed. Mr. Monroe, in his message of 1819, expresses the opinion that if it should "become manifest to the world that the efforts of Spain to subdue her provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest." It was then not yet manifest that their efforts would be successful. How much probability is needed to concede belligerency to revolt? We should rather say that, as long as the characteristics of such a movement make its success improbable, it would not be wise nor right to regard rebels as equal parties in war with an existing state, nor to treat them as having formed a state *de facto*, when this is not warranted by the facts.

There is a special point of some importance to which Professor Bernard calls attention. A person making war against a government which has a claim to his allegiance is without doubt a rebel; but is he properly called a pirate or justly treated as such, when captured on the ocean. The English called Paul Jones a pirate; and in the late war, William Smith, one of the crew of the Jeff. Davis, was convicted of piracy in one of our courts. The crime of a pirate may be tried in any court, and his ship is not the ship of any nation. The motive of a pirate is plunder, but a cruiser of a rebellious state or province is only endeavoring to distress his enemy in the way of armed contest, and so to conquer a peace. The pirate is an enemy of mankind, but the cruiser of a rebellious territory is the enemy of a particular state and of those who trade with it against the laws of war. The offended state, if it catches him, may call him traitor or pirate at its pleasure, but, as Mr. Ber-

nard asks, would the *animus belligerandi*, which is his motive, constitute the legal offence of piracy in the view of the tribunals of a country the executive government of which had not recognized the existence of war? And in one particular case an *argumentum ad hominem* may be pressed, which our author politely passes by, that if the crew of the Savannah or of the Jeff. Davis were pirates, Paul Jones was equally so, and therefore the Dutch were wrong in refusing to restore his prizes to Great Britain, and Denmark was right in surrendering them.

The next chapters of Professor Bernard's work are devoted to the course pursued by European governments at the beginning of our war, and especially to the queen's proclamation of neutrality. Into the vexed question whether this public act was premature and at the time unnecessary or not, we shall not enter. It was issued two days after Mr. Dallas had officially made known Mr. Lincoln's proclamation of blockade, and eleven days after the first news of that measure reached London. If measured by the precedents, whether of Europe or of the United States, it was entirely legal and proper. In placing the two parties to the war on an equality, it followed the uniform rule of our government; and if the proclamation of Mr. Van Buren, in 1838, could be styled, as it was, a proclamation "for the prevention of unlawful interference in the civil war in Canada," when no civil or military organization had been set up, much more might this British proclamation speak of hostilities as existing, after the fall of Sumter, and after the announcement of a war measure like blockade, between the United States and an organized, united community like the States styling themselves the Confederate States of America. It was followed in a large part of Europe, and even in the Hawaiian Islands, by notifications which prohibited all interference in the war, especially the construction of privateers for either party, and the entrance of the war vessels of either party into the harbors of the respective nations, except for a transitory purpose.

In his first instructions to the ambassadors at foreign courts Mr. Seward insisted on neutrality, and this neutrality could only be understood as "neutrality in a civil war between parties nearly equal, having as to neutral powers equal rights,"

at least such was neutrality in the parallel case of the South American provinces, as understood by Mr. Monroe, and such the neutrality allowed to us by Europe in our Revolutionary times. When in June, 1861, the British orders prohibited armed vessels of either party from carrying their prizes into waters governed by British law Mr. Seward seemed satisfied, and said that "it would probably prove a death-blow to Southern privateering." But soon a change of feeling and of policy appeared at Washington. The queen's proclamation was hasty, and was dictated by a hostile spirit. Moral support had been given to the Confederacy, which had inspired even the hope of speedy recognition. But the United States ought not to be considered as an equal party with the Confederacy. We could not regard the contest within our borders as a war, and we should treat Confederate privateersmen as pirates. Mr. Dayton was instructed to say to the French government that the United States could not for a moment allow that government to rest under the belief that they would be content to have the Confederate States recognized as a belligerent power by nations with which we were at amity. And long afterwards, when the country had become thoroughly alienated in mind from Great Britain, by the want of sympathy there with our cause, or by sympathy with the Confederates, the queen's proclamation was charged with being the fountain of our evils, it gave ground for damages, and was a virtual act of war. It is impossible now for any cool person to admit the justice of these assertions. Either the blockade imposed by the President, and supported by an armed force, was to be received as a fact by the British government, or, as they claimed, their vessels still had the right to trade with Southern ports, which were not under the fiscal control of the United States. The blockade implied a state of war; such was the judgment of the courts. Mr. Seward indeed says with truth, that the President did not in form declare the existence of war, and that the courts reached their conclusion that a state of war was then existing by a process of reason and argument. But it is of no importance what name the President gave to the state of things; if he had called it a difficulty or a sedition until the capture of Richmond, or until the surrender of Johnston's

army, this would not have altered the facts of the case. The Supreme Court looked at the facts, and found that they came within the definition of war from the time of the blockade. The foreign courts did the same ; and their agreement in their conclusion is proof that they both were right.

We come thus nearly to Mr. Bernard's conclusion, which we give in his own words: "I am unable to comprehend how it could be premature to provide for a state of circumstances which was actually existing at the time, or precipitate to announce in May a conclusion on which the President had begun to act in April; . . . . or how the British government could be held justly answerable for the chimeras raised in sanguine imaginations by an act which was itself lawful and reasonable." If a hostile mind dictated an act not unlawful in itself, let that go for what it is worth; let it awaken the indignation of the country, let that indignation seize its fair chance of retaliation in parallel circumstances, if it must be so; but let us not try to overthrow international law, or to parry its force by charges of evil intention.

Mr. Bernard passes on to the offer made by the American government, early in the war, to accede to the treaty of Paris. The British and French ministers refused to negotiate in this matter, except on the understanding that it was to have no bearing whatever on the Southern difficulty, and so the negotiation fell to the ground. It is obvious that they were obliged either to take this position or to desert their existing position of neutrality in our civil contest. The engagement, as they understood it, would, if made, merely prevent the established government of the United States from issuing letters of marque to privateers; it could have no effect on the legal relations of privateersmen belonging to the Southern Confederacy, because they were already *de facto* belligerents, and acknowledged as such. Mr. Seward was not willing to bind the United States, without securing the advantage of putting an end to Southern privateering, without, in short, including them in the negotiation.

The chapter on the case of the Trent is one where at present there will be little difference of opinion. Our government honorably admitted the mistake of its naval officer, and gained

character by so doing with foreign powers. Mr. Bernard, after giving in detail the history of this case, states certain propositions, of which we quote the last: "It is not lawful on the high seas to take persons, whatever their character, as prisoners, out of a neutral ship, which has not been judicially proved to have forfeited the benefit of her neutral character."

It is certain, from Mr. Bernard's expressed opinion, that the official appointment of the persons taken from the Trent, as envoys of the Confederate government, would not, from his point of view, affect the case. So much the more surprised are we to find in the work of another Oxford professor, Dr. Travers Twiss, published in 1863, the following judgment. He is speaking of the arrest of Marshal Belleisle on hostile territory by a power at war with his country: "It is quite another thing, observes Grotius, if any prince shall, *out of his territory*, contrive to surprise the ambassadors of another state, for this would be a direct breach of the law of nations. The case of the seizure of the envoys of the Confederate States of America on their way to Europe on board the British post-office packet, the Trent, by an United States cruiser, would seem to come within the prohibition laid down by Grotius. Their seizure was justly resented by Great Britain as a direct breach of the law of nations, and the envoys, at the demand of the British government, were set at liberty by the government of the United States, and allowed to proceed to Europe in a British vessel."

These words would seem to imply that the British government demanded back the arrested passengers on the ground of their public character. But such we do not find to be the fact. They are "certain individuals" in Lord Russell's despatch, "deux passagers" in M. Thouvenel's; and in the various remonstrances which at the same time came from other courts of Europe no stress is laid on their function. Besides, with submission, we affirm that the law of nations is misinterpreted. Grotius, if Dr. Twiss had looked a little further, would have told him that the rights of legation, of which the father of international law is speaking, are confined to persons sent by sovereigns to each other. And another great authority, with whom he must be familiar, would have informed him that

when Philip II. of Spain imprisoned and finally put to death the noblemen from the Netherlands, sent to him as deputies from a revolted territory, it was no offence against the law of nations.*

The blockade of the Southern ports, and questions which grew out of it, occupy several chapters of Mr. Bernard's work. In regard to its general conformity with the rules of naval warfare, he expresses himself as follows: —

"The blockade of the Southern coasts was certainly not free from irregularities, nor was it efficient at all points; it was instituted before the government had a competent blockading force in readiness; it covered, nominally, more ground than the force could really occupy; and at more than one place it was intermitted and resumed without notice. The British government was right, however, in forbearing to insist on these defects as grounds of complaint. The commencement of a blockade is seldom free from difficulties, and this had some peculiar difficulties. The government of the United States was exerting itself to overcome them, and had every motive to exertion. Credit should be given to blockading officers for reasonable activity and vigilance, until the contrary is shown. If irregularities can be proved, recourse may be had to a prize court, which will decree restitution, and, unless they are manifest and long continued, or appeals to the tribunals of the belligerent be met by a plain denial of justice, the neutral government will act wisely and properly in not taking the matter into its own hands."

The question whether a blockade is effective is one of degrees. If a single vessel runs it in a week, and ten are taken, there is evidently a very great risk in the case. If only every other vessel is taken, there is still risk, but is it effective? The declaration of Paris only increases the difficulties which a good definition ought to remove, when it says that a blockade, "in order to be valid, must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy." If, then, a number of vessels in the course of a year's blockade do get access to the enemy's port, shall we say that the blockade is no longer effective? The vagueness, we

* Grotius, II. 18, § 2, 1, says, "Qui extra hos legati sunt, provinciales, municipales atque alii, non jure gentium, quod inter gentes est diversas, sed jure civili reguntur." See also Bynkershoek, Quest. Juris. Publ. II. cap. 3.

should answer, is essential to the subject. No blockade can keep out all the vessels that attempt to enter a port, if the profits of voyages rise at all in proportion with the risk. The difficulty of putting an end to blockade-running is increased, as Mr. Bernard remarks, by the introduction of steam navigation into modern warfare, which, while it gives greater scope and alertness to a blockading squadron, aids in a far higher degree the newest kind of blockade-runners, made for high speed, drawing little water, yet not deficient in stowage.

The number of vessels that ran the blockade led the Confederate emissary, Mason, to the hope that he could persuade the British government to pronounce the blockade ineffective. His long lists of such fortunate vessels, however, produced no effect. The reply was that the declaration of Paris was directed against paper blockades, that is, against such as are not sustained by any actual force, or sustained by a notoriously inadequate force, such as the occasional appearance of a man-of-war in the offing; that the adequacy of the blockading force must be a matter of fact and evidence, and that the ineffectiveness of the blockade had not been urged in prize cases before the American courts; and that practical effectiveness was what was intended in the declaration.

It was an Herculean task for our government in the first years of the war to create a navy adequate to the work of blockade, and to that of scouring the seas in the protection of commerce and the pursuit of hostile cruisers. The thought occurred to some one that, if one or more of the channels into Charleston Harbor could be blocked up with stones, some of the ships employed there might be spared for other service. This experiment was tried both there and at Savannah. The main channel at Charleston received the stone-ships with their contents, but the obstruction did not pay for the trouble. We should not refer to this abortive attempt to supplement the blockade, if it had not been made the subject of something like remonstrances on the part of the British government, as being injurious to the general and permanent interests of commerce. Mr. Seward, in reply to the British ambassador, declared that it was a temporary measure, and that it would be incumbent on the United States to remove the obstructions as soon as the Union should be restored.

This is a good example of the way in which neutral power or the interests of commerce are advancing in their claims in the most modern period against war power. But were the claims just? We think not. If I have a right to cripple my enemy by bombarding and demolishing a town where neutral trade may have flourished, why may I not obstruct a harbor? Why not render the port of Charleston inaccessible as well as cannonade the city? If it had disappeared from the face of the earth, there were other and better sites for trade not far off. Besides, a clear precedent is afforded for such obstructions of ports by the case of Dunkirk, the harbor of which, by the treaty of Utrecht, was to be stopped up and rendered unfit for commerce, and remained in its condition of uselessness until the peace of Paris, in 1783. When Louis XIV., just after the peace of Utrecht, proposed to evade the terms of the treaty by digging out the port of Mardik, near Dunkirk, and connecting it with the sea by a channel sixteen hundred toises long, he was led to abandon the project in consequence of the protests of the British government. Every new treaty between France and Great Britain repeated the stipulations in regard to this port. What treaty can do the force of war can do, for neutral interests are affected in both instances alike. And in the case of Dunkirk, it is to be added that the commercial jealousy of England and Holland was the principal motive for insisting on the destruction of the harbor, and not apprehension of expeditions that might proceed from it to annoy the coasts of England; while our motive was simply the restoration of the Union in the way of regular war.*

The high price of cotton in Great Britain, and the want in the South, not only of munitions of war, but of many articles of comfort or necessity which formerly came from the Northern States, gave great activity to blockade-running, and in particular the harbor of Nassau was crowded with vessels using it as an *entrepôt* between Great Britain and the Southern coasts. Nor were there merchants wanting in New York who were

* This was written before the news came to this country that the Prussians are stopping up harbors in North Germany, and that, it would appear, on a large scale. We doubt whether any neutral will complain of this; and we feel certain that, if any complaints are made, they will be treated as being entirely groundless.

ready to send to that port articles intended for the blockaded districts of the Confederate States. To prevent this evil, a law of May, 1862, gave power to the Secretary of the Treasury to refuse clearance to any vessel whenever he had good reason to believe that the goods on board of it, whatever was their ostensible destination, were intended for places in possession or under the control of insurgents against the United States. The collectors of customs also were authorized, when they thought it necessary, to exact bonds from masters or owners that cargoes should be delivered at the place specified in the clearance, and that no part of the goods should be used "in affording aid or comfort to any persons or parties in insurrection against the authority of the United States."

These stringent requirements cut off, to a great extent, commerce with the port of Nassau, and complaints arose on the part of merchants there, which were supported by the British government. It was urged that the refusal of clearances to vessels laden with ordinary articles of peace was an injury to the neutral, and an infraction of treaties; that it really discriminated to the disadvantage of British merchants; and that the most arbitrary restrictions could thus be imposed on British trade. The United States government denied any such intention to injure the trade of any neutral; a relaxation of the order was allowed in respect to the exportation of coal; and the necessities of the case were pleaded as a reason for the act of Congress and the orders of the Secretary of the Treasury. Mr. Bernard decides that the act and the instructions violated no rule of international law, and were no infraction of our treaties with Great Britain. "A neutral port" — we quote his words — "in the neighborhood of one which a belligerent is actively blockading is ascertained to be carrying on a busy trade with the blockaded port, to afford a shelter and rendezvous for the ships employed in that trade, and a depot for their cargoes. Is the belligerent bound to permit goods to be despatched from his own ports, under his own eyes, to swell the stores of that depot? Is he bound to abstain from enforcing in his own ports regulations by which this may be checked and thwarted? and is he disabled from making such regulations by the circumstance that, under a general clause in a treaty of commerce, there is

to be reciprocal freedom of trade between the people of the neutral country and his own, subject to the laws of the two countries? This would not, I think, be a reasonable construction of the treaty." In truth, if a belligerent in a civil war could not, for his self-preservation, make regulations cutting off a roundabout trade between his own ports and blockaded ones, it would take but one step more to refuse him the right of blockading in such a war altogether; for prior treaties of commerce opened his whole territory to neutrals, whom he now seeks to exclude from entrance into certain harbors which he claims to be his own.

Owing to the proximity of a port like Nassau to our Southern coast, the subject of continuous voyages came before our courts, and it received an extension greater, perhaps, than had ever been given to it before. According to a view of the English courts which was admitted by our own, if a ship left port with an intention to break blockade, it was liable to capture anywhere on the ocean, and the same guilt rested on the goods, if the owners were privy to the intention. But in the late war, it would easily occur to European masters and owners, that a neutral port in the vicinity of the American coast was a convenient depot from which the goods might, in a blockade-runner made for the purpose, be transshipped to the interdicted harbors. If the goods had been conveyed for the purposes of honest sale to Nassau, there could be no violation of law in the transaction, even though the purchaser were from the Confederate States; a *bona fide* sale began a new transaction. But if an intention had existed at the start or on the voyage to convey the goods to a neutral port for the purpose of transshipping them to a place under blockade, our courts held that this would render both ship and goods liable to capture and condemnation,— the ship, provided the ulterior destination was the known inducement to the voyage between the two neutral ports, and the goods, even although orders were given by the owner to unlade them. Indeed, orders to sell would not take away guilt, unless the sale was honestly meant. In other words, the transaction was one and the same, notwithstanding the apparent interruption, and the "ships were planks of the same bridge, all necessary to the convenient passage of persons and property

from one and to another." If a vessel could not with impunity discharge her lading into a blockade-runner at the mouth of a blockaded harbor like Charleston, how could it make any difference if the goods were transferred from ship to ship at a neutral port like Nassau, or if a fictitious sale further disguised the transaction? Such was the expanded doctrine of "continuous voyages," as interpreted by our courts, which, doubtless, we should have resisted and complained of sixty years ago.

Another point of interest which came up in the war was the liability to capture of goods going up the Rio Grande. Where a river separates two states, one only of which is engaged in war, there can, of course, be no blockade of the stream as a whole, and thus there was free access for goods to Matamoras, opposite to Brownsville. It became early in the war a place of great trade, so that, as was said, more than sixty vessels were cleared from New York in little more than a year, having this for their destination. Complaints arose on the part of the British government, when some vessels were seized at the mouth of the river with contraband goods on board, ostensibly intended to be sent up stream in lighters to the Mexican town. The reply was, that the vessels captured intended to send their freights to the insurgents on the American bank, and that this was a question upon which a prize court must pronounce a decision. The peculiarity of the cases of capture on this river seems to be that the doctrine of ulterior destination was applied to goods where the further transportation was even overland, thus making them liable to capture and condemnation, no matter how their ulterior destination was to be reached.

The case of the Emily St. Pierre, a vessel from Calcutta, captured in 1862, not far from the harbor of Charleston, presents a remarkable instance of the changes of opinion on points of international law which changes of national interest bring with them. She was put in charge of a prize crew to be taken to Philadelphia, but those of the captured crew who were left on board regained possession of her and carried her into Liverpool. A claim was now made by our government for the vessel, on the ground that the rescue was fraudulent and an act of violence towards a lawful cruiser. On the British side it was

replied that, as the rights of the owners had never been extinguished by a prize court, to restore her to her captors would be to take her out of her owners' possession. This would be to enforce the rights of the belligerent to his capture, — a thing with which the municipal law of the neutral has nothing to do. During the correspondence relating to this vessel, it was discovered that a similar case occurred in 1800, only that the parties had then taken positions just opposite to their present ones. Great Britain then made demands for the restoration of a rescued prize, while the United States refused compliance on the same grounds which Great Britain now urged. "There can be no doubt," says Professor Bernard, "that the American government was right in 1800, and wrong in 1862, and the English government wrong in 1800 and right in 1862. The enforcement of blockades is left, and rightly left, by the law of nations to the belligerent alone. They are enforced by the exercise of the belligerent right of capture; and this right is the weapon which international law places in his hands for that express purpose. Capture is an act of force which has to be sustained by force, until the property in the vessel has been changed by a sentence of condemnation. If she escape meanwhile from the captor's hands, it is not for the neutral to restore her to him. Resistance or a rescue is a distinct offence, ... drawing after it a distinct and appropriate penalty,— confiscation. But here again it is for the belligerent to inflict the penalty, and it is not the business of the neutral to help him to do this either by recovering his prize for him or by treating the act as a crime." If the neutral were bound to do this, we might add, he could only be bound by a treaty of extradition.

The latter part of Mr. Bernard's work is chiefly occupied with the subject of the ships procured in England by Confederate agents, and the questions to which they gave rise. The history of all these vessels is given with more or less detail, and, of course, the Alabama assumes the place of importance in this discussion. It is not our intention, in the present article, to enter at large into a matter which has called forth so much diplomatic correspondence, so much angry debate, so much warlike rhetoric as this. We would not, if we could, put an end to the lull which has succeeded the blasts of

public feeling, or revive those heats which led to the summary rejection of the Johnson treaty. It is to be hoped that some one who has "had perfect understanding of all things from the very first," who can unite dignified calmness and impartiality with a sense of justice and a love of truth, will bring this vexed subject at the proper time and in the proper way before the country, and will thus lead public opinion to a policy which will be at once just and consistent with our old principles of neutrality. In Mr. Bernard's exposition of the Alabama case we find nothing to complain of; we meet here the same candor and truthfulness which is obvious throughout the work. The facts are stated with exactness, and supported by the proper documentary evidence. His opinions in regard to the question whether the British government was culpable or not in allowing this vessel to go out unarmed from the port of Liverpool are freely but not confidently expressed on the side of his own country. If they have preponderating weight, they will, in the end, influence opinion on both sides of the water. We do not intend to enter into the discussion which they would require, as arguments on a point of international law, but feel compelled to pass them by in respectful silence. We make, however, the following observations on the case: —

1. The vessel, afterwards called the Alabama, was confessedly built as a ship-of-war for some foreign government; and one person at least made oath that he was engaged as a seaman on board of her, and was informed by the man who hired him that the vessel was going out to the Confederate States of America. The individuals who were sworn to be busy about this vessel, and one of whom was described as her master, were reputed to be Confederate agents.

2. When the government issued orders to detain the vessel, it admitted that there was *prima facie* evidence for so doing. If the delay in coming to this conclusion was prejudicial to the United States, this would be a fair point to be pressed in the way of diplomacy or before a court of arbitration.

3. Did the adroitness of the Confederate agents in evading the Foreign Enlistment Act, by sending the vessel without armament into foreign waters, there to be supplied from England with a crew, guns, and all the necessaries of war, — did this trick

free the government from all responsibility in regard to the injuries inflicted by the Alabama upon vessels of a friendly power. It is one thing to say, as eminent English lawyers say, that no offence against either the common law or the Foreign Enlistment Act was committed by the mere building of a ship, apparently adapted for warlike purposes, and by delivering her, unequipped for war, to the known agent of a foreign belligerent power, and another thing to say that there would be no wrong done *to a neutral* by such a proceeding. Suppose there had been no such Enlistment Act, as there was none until a few years since, do the rights of other nations end with the provisions of municipal law? The law of England, it is said, afforded no adequate protection to ambassadors until 1708. Would it have barred the claim of a friend, whose ambassador had been maltreated, to say that English law could not protect him? If the Confederate agent at Liverpool had sent word to the British Secretary of State that he had had a vessel of war built for his government, and intended to take it out to sea without an armament, that, furthermore, he had made arrangements to have guns and a crew sent from other parts of England to be put on board of her at a convenient place, so far as we can gather from the first lawyers of England, the statutes could have put no obstacle in his way. He might have laughed at the Foreign Enlistment Act, and need have feared no punishment. But either we on this side of the water are grievously in the wrong, or international injuries are wholly independent of state law; if there is no law, or an inefficient one, that is no plea against foreign claims: the obligations of nations are the main points in the case. Let it be made to appear that no wrong known to the law of nations is committed when a ship-builder on neutral soil constructs a vessel of war, which is to be employed avowedly in destroying the commerce of a friendly state, or let it be made to appear that a contrivance which puts the threads of an armament together in foreign waters, when they were evidently spun in one and the same country may be overlooked, and the United States can have no just claim for damages in the case of the Alabama. But in that case it may well be asked, Of what value are international laws of neutrality, if the neutral subjects can do what they will, and if war is fed and prolonged by their cupidity?

But it would be of small importance if we could fasten on Great Britain the charge of negligence or of insufficient protection to friendly states against hostile expeditions begun in her territory. Safety in future wars, and the prevention of heart-burnings between countries of the same race and with the same institutions, demand some change for the future. That change may proceed either from an alteration in English law or from some improvement in, or modification of, the law of nations.

Both Mr. Bernard and Mr. Bemis, we believe, remark that the English Foreign Enlistment Act is, in most of its provisions, more stringent than our act of 1817, after which it was modelled. The differences between the acts, besides those which are to be referred to the attempt in the English act at more exact language, are these two: first, our act requires bonds to be given, in the case of armed vessels sailing out of our ports, which belong in whole or in part to citizens, that such vessels shall not be employed to cruise against the subjects of any friendly foreign power: secondly, the collectors of customs are required to detain vessels built for purposes of war when about to leave our waters, of which the cargo shall principally consist of arms and munitions of war, whenever it is made probable to them that such vessels are intended to be employed in cruising against the subjects of friendly states, and such detention shall continue until the President gives his decision in the case, or until bonds are given, as required by the provision already mentioned. The *original bill prevented citizens of the United States from selling vessels of war* to subjects of any foreign power, *but that provision was struck out* by the Senate.

Mr. Bernard remarks that neither of these existing sections of our act could have been applied in the cases where complaint arose between the two countries; the Alabama, for instance, was not a vessel owned even in part by subjects of Great Britain, nor was its cargo, when it left port, composed of arms and munitions of war. The two laws would have had precisely the same application in a case like this. The differences as it respects the *execution* of the respective laws are thus stated by our author: —

"The English law, although in terms more stringent, appears to have

been enforced in practice less freely and readily than the American, the working of which is assisted by a more efficient local machinery (the institution of 'district attorneys'), and is also less embarrassed, perhaps, by a fear of illegally interfering with private rights, — a fear always present to the mind of an English public servant, and kept alive by the constant responsibility of every subordinate to his chief, and of the chief of every department to Parliament. Greater reliance is there placed on local officials, and a large measure of discretion given to them, and the questions of fact on which the legality of a seizure depends, are not submitted to a jury."

There is in our system a greater capacity of vigorous administration on the part of the general government than belongs to the system in Great Britain; but we fear that we must add that public opinion can paralyze such vigor. It may happen that, where assistance to one of the belligerents is popular, the district attorney may share in the sympathy and neglect his duty, or may be overawed by the prevailing sentiment. Have we not had instances of hostile and guilty enterprises set on foot within the last twenty years, where the inferior officials of the government closed their eyes until the bird had flown?

The charges of the inefficiency of English law, whether just or not, have led to projects for its improvement. A commission appointed in 1867 to consider and report any changes which it might be desirable to make in the neutrality laws, reported the next year to the effect that "the prohibitions of the act should be enlarged; that the despatching of a ship with knowledge that she would be employed in hostilities by a belligerent, and the building of a ship with intent that she should be so employed, after being fitted out and armed *within or beyond* her Majesty's dominions, should be embraced within these prohibitions. They added a recommendation, probably of greater practical value, that where reasonable and probable cause should exist for believing that a ship was about to be despatched contrary to the enactment, or, having been built or fitted out contrary to the enactment, was about to be taken out of the dominions of the crown, power should be given to arrest and detain her, on a warrant issued by the Secretary of State, or, within the limits of a colony, by the governor; the burden of proof that no violation of the act had been committed or

was intended to be thrown in every case on the owner of the ship so arrested." This project of an amendment of the existing neutrality laws has been submitted to the government, but no legislation, unless of late, has carried it out. The changes suggested seem to us excellent, and they go far beyond our laws of a similar character in protecting friendly belligerents against unneutral acts. If embodied in laws, they would confer new honor on that enlightened spirit which has led to so many advances in legislation during the last fifty years. And thus there would be a proof to all states, that the nation which is at the head of the world's commerce has no intention to promote its own commerce in questionable ways, but rather has a deeper conviction than any other state that its prosperity is connected with universal peace.

But is it enough to make the neutrality laws of the leading states more strict towards hostile expeditions undertaken within their borders, while the law of nations remains as it is? Let us consider for a moment what can now be done by neutrals when a war breaks out between their friends. We have so generally occupied a neutral position since our existence as a nation began, and our trade, when the rest of the world was at war, consisted so generally in innocent articles, — like provisions and naval stores, — that we were unprepared, at the breaking out of the war, to regard as lawful the kinds of trade which the law of nations does not forbid. Nay, more, we complained of England for doing that which we ourselves did, and which our courts did not condemn during the wars of the South American provinces. The law of nations, as interpreted by our courts, requires no neutral to interfere for the prevention of a trade in contraband carried on by its citizens or subjects, or to take active measures against ships purposing to run a blockade instituted by a friendly state. It is held, in a technical and formal way, that a contraband trade begins when the articles so called are afloat on the high sea; and there is a general agreement that the neutral is not to be put to the cost and trouble of keeping his subjects from such a traffic. The police of the seas belongs to the belligerents, and the violation of neutrality in carrying contraband, and in breaking blockade, it is for him, and for none else, to notice. How often were

Judge Story's words quoted, especially by British writers a few years back, that "there is nothing in our laws, or in the law of nations, that forbids our citizens from sending armed vessels, as well as munitions of war, to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit, and which only exposes the persons engaged in it to the penalty of confiscation." * It is unnecessary to say that the risk of confiscation has never been so great, and probably never will be so great, that the gains of contraband trade do not cover the losses. Neutrals thus supply the food upon which war lives, and supply it alike to either belligerent that can pay for it, so that until exhaustion comes upon one of the combatants, the harvest of the neutral trader goes on. Is this state of things the best for the interests of humanity and the general welfare? Is it not better for neutrals, on the whole, that wars should be short and few? And if so, may it not be said to be the duty of nations to agree that contraband trade shall be prohibited at the commencement of a voyage? This can be done, as it seems to us, without great difficulty, by placing vessels carrying such articles under heavy bonds that they shall not be conveyed to the ports of a friendly nation engaged in war. We would put blockade-runners, as far as possible, under the same penalties, and would wish to have Dr. Phillimore's suggestion adopted, that all exportation of munitions of war by merchant ships of the belligerents should be strictly prohibited. We should be glad also to have violators of neutrality considered as prisoners of war, and treated as such. That the world can be brought to all this with ease we are not credulous enough to believe; but we believe that if two leading nations were to make a treaty containing such stipulations, the probability of their keeping peace with one another, and with the rest of the world, would be decidedly increased.

May we be permitted, before we close, to make another suggestion looking towards a reform in the law of nations? It has been more or less the practice of cruisers for a long time, when they took an enemy's vessel, and it was inconvenient to send it into port for adjudication, to destroy it. The French went so far as to burn a number of *neutral* American vessels

* Case of the Santissima Trinidad, 7 Wheaton, 340.

for violations of the Berlin and Milan decrees. The Confederate cruisers in the late war burnt only American vessels. This harsh measure, if applied to neutrals by a belligerent who is not as yet a lawful and acknowledged power, would be unsafe, for there might be no remedy for a wrong use of it. But is it a desirable exercise of power, where even a sovereign state, which can make compensation for injuries done by its cruisers, deals thus with its enemy? Contracts of ransom are falling into disuse; they are frowned upon by the municipal law of many European states, especially in the case of the capture of neutral vessels. But whatever may be said against them, they are better for the world than burning vessels, which after all might turn out not to be lawful prize. At all events, it is time that this most savage act of war on the sea, so far beyond the ordinary destructions of war on the land, should be prohibited by the common voice of nations.

The close of Professor Bernard's work is occupied with discussions on the rights of persons subjected to draft in the United States, who claimed to be British subjects, and with a sketch of the negotiations since the war, which ended in Mr. Reverdy Johnson's convention. Then follows a concluding chapter, in which he notices the inconsistency between our old positions when we were neutrals and those which we took when we became belligerents. He has a right to do this, and such inconsistency has been freely admitted in this article. We are sorry, however, that he should feel called upon to use the words, "It is the government of the United States which has asserted, rightly or wrongly, the claim of a belligerent to capture a neutral vessel conveying a diplomatic agent of the enemy from one neutral port to another," when that government abandoned its position, and in fact acknowledged its mistake. But his sense of justice leads him to express himself in the following words, which we are glad to cite: —

"I do not recall these facts in order to throw blame on the American government, but because they show how the point of view from which a state regards questions of international right and expediency may be affected by the situation in which it is placed, and how rapidly even cherished opinions may give way before a great and violent change of circumstances. The history of international law is full of such varia-

tions and inconsistencies. We, ourselves, are not clear from them. Among the complaints urged by Mr. Seward and Mr. Adams, there are some which seem but reproductions of those addressed by Lord Stormont and Sir Joseph Yorke to the French and Dutch governments, during the war of American Independence. And it would be easy to draw an effective contrast between the severity with which Great Britain formerly enforced the rights of belligerents, and the warmth with which she lately asserted the rights of neutrals."

And in this same strain of candor he proceeds to set forth the painful and trying position in which the United States was placed, when struggling for their political existence with a mighty revolt. It is this sense of justice, which appears in almost every chapter, that entitles him to our sincere respect. He gives, it is true, some hard blows to some of the doctrines insisted upon, on our side, during the late war. It is good, however, when a man with no especial sympathy for a cause, but with a decided love of truth, can survey the ground where nations have contended with a judicial eye, and determine the landmarks that are to stand for the future. Only such discussion can abate excessive pretensions, can bring the opinions of nations into harmony, and can settle the principles of international law so firmly that old errors shall not be from time to time revived.

THEODORE D. WOOLSEY.

ART. II. — *Contributions to the Theory of Natural Selection. A Series of Essays.* By ALFRED RUSSELL WALLACE, Author of "The Malay Archipelago," etc., etc. London and New York: Macmillan & Co. 1870. 8vo. pp. xvi. and 384.

FEW scientific theories have met with such a cordial reception by the world of scientific investigators, or created in so short a time so complete a revolution in general philosophy, as the doctrine of the derivation of organic species by Natural Selection; perhaps no other can compare with it when we consider the incompleteness of the proofs on which it still relies, or the previous prejudice against the main thesis implied in it, the

theory of the development or transmutation of species. The Newtonian theory of gravity, or Harvey's theory of the circulation of the blood, in spite of the complete and overwhelming proofs by which these were soon substantiated, were much longer in overcoming to the same degree the deeply-rooted prejudices and preconceptions opposed to them. In less than a decade the doctrine of Natural Selection had conquered the opposition of the great majority of the students of natural history, as well as of the students of general philosophy; and it seems likely that we shall witness the unparalleled spectacle of an all but universal reception by the scientific world of a revolutionary doctrine in the lifetime of its author; though by the rigorous tests of scientific induction it will yet hardly be entitled to more than the rank of a very probable hypothesis. How is this singular phenomenon to be explained? Doubtless in great part by the extraordinary skill which Mr. Darwin has brought to the proof and promulgation of his views. To this, Mr. Wallace thus testifies in the Preface to his book: —

"The present work will, I venture to think, prove that I both saw at the time the value and scope of the law which I had discovered, and have since been able to apply it to some purpose in a few original lines of investigation. But here my claims cease. I have felt all my life, and I still feel, the most sincere satisfaction that Mr. Darwin had been at work long before me, and that it was not left for me to attempt to write 'The Origin of Species.' I have long since measured my own strength, and know well that it would be quite unequal to that task. Far abler men than myself may confess that they have not that untiring patience in accumulating, and that wonderful skill in using large masses of facts of the most varied kind, — that wide and accurate physiological knowledge, — that acuteness in devising, and skill in carrying out, experiments, and that admirable style of composition, at once clear, persuasive, and judicial, — qualities which, in their harmonious combination, mark out Mr. Darwin as the man, perhaps of all men now living, best fitted for the great work he has undertaken and accomplished."

But the skilful combination of inductive and deductive proofs with hypothesis, though a powerful engine of scientific discovery, must yet work upon the basis of a preceding and simpler induction. Pythagoras would never have demonstrated

the "forty-seventh," if he had not had some ground of believing in it beforehand. The force and value of a preceding and simpler proof has been obscured in this case by subsequent investigations. That more fundamental evidence accounts for the fact that two such skilful observers and reasoners as Mr. Wallace and Mr. Darwin arrived at the same convictions in regard to the derivation of species, in entire independence of each other, and were constrained to accept the much-abused and almost discarded "transmutation hypothesis." And it shows, what is more singular, why both reached, independently, the same explanation of the process of derivation. This was obviously from their similar experiences as naturalists; from the force of the same obscure and puzzling facts which their studies of the geographical distributions of animals and plants had brought to their notice, though the Malthusian doctrine of population was, doubtless, the original source of their common theory. Mr. Darwin, in the Introduction to his later work on "The Variation of Animals and Plants under Domestication," attributes the beginnings of his speculations to the phenomena of the distributions of life over large continental areas, and in the islands of large archipelagos, and especially refers to the curious phenomena of life in the Galapagos Islands in the Pacific Ocean. Mr. Wallace, in his first essay, originally published in 1855, four years earlier than "The Origin of Species," refers to the same class of facts, and the same special facts in regard to the Galapagos Islands, as facts which demand the transmutation hypothesis for their sufficient explanation.

In the logical as well as historical consideration of the theory of natural selection these facts, and the related phenomena of the geological successions of life (which afforded the first scientific basis of the theory of transmutation), are of greater importance than in the present aspects of the theory is likely to appear to the general reader. The superstructure of the theory, the proper discussion of Natural Selection and the related estimates of the geological record, the points in which "Darwinism" differs from the older forms of the transmutation hypothesis, from the views of Lamarck, and of the author of "The Vestiges of Creation," are chiefly negative phases of the doctrine, elaborate and often ingenious reason-

ings against the difficulties of an hypothesis, the first inductive grounds of which are quite independent of them, but will, doubtless, be ultimately brought within the scope of their deductive demonstrations, so far as it is possible to reconstruct a continuous history of organic life from facts so multitudinous and confused as the present distributions of life on the globe, or so meagre and fragmentary as those which the records of past life afford. But though much is to be credited to the sagacity and candor of these most accomplished travellers and observers in appreciating the force of obscure and previously little studied facts, yet their theoretical discussions of the hypothesis brought forward to explain them must be credited with an immense addition to the same class of observations, of which Mr. Wallace's studies, especially the essay on "Mimicry, and other Protective Resemblances among Animals," and the four following essays, are admirable examples. Not only Mr. Darwin's observations and experimental studies, pursued for many years previous to the publication of the "Origin of Species," but an ever-increasing activity in the same field, a new and most stimulating interest in the external economy of life, — in the relations of living beings to their special conditions of existence, — have been created by this discussion. And so the discussion is no longer closet work. It is no web woven from self-consuming brains, but a vast accumulation of related facts of observation, bound together by the bond of what must still be regarded as an hypothesis, — an hypothesis, however, which has no rival with any student of nature in whose mind reverence does not, in some measure, neutralize the intellect's aversion to the arbitrary. In anticipating the general acceptance of the doctrine which Mr. Darwin and Mr. Wallace have done so much to illustrate, we ought to except those philosophers who, from a severe, ascetic, and self-restraining temper, or from preoccupation with other researches, are disposed to regard such speculations as beyond the proper province of scientific inquiry. But to stop short in a research of "secondary causes," so long as experience or reason can suggest any derivation of laws and relations in nature which must otherwise be accepted as ultimate facts, is not agreeable to that Aristotelian type of mind which scientific culture so

powerfully tends to produce. Whatever the theological tendencies of such a mind, whether ultimate facts are regarded by it as literally arbitrary, the decrees of an absolute will, or are summarily explained by what Professor De Morgan calls "that exquisite atheism, 'the nature of things,'" it still cannot look upon the intricate system of adaptations, peculiar to the organic world (which illustrates what Cuvier calls "the principle of *the conditions of existence*, vulgarly called the principle of *final causes*"),—it cannot look upon this as an arbitrary system, or as composed of facts independent of all ulterior facts (like the axioms of mechanics or arithmetic or geometry), so long as any explanation, not tantamount to arbitrariness itself, has any probability in the order of nature. This scientific instinct stops far short of an irreverent attitude of mind, though it does not permit things that claim its reverence to impede its progress. And so a class of facts, of which the organical sciences had previously made some use as instruments of scientific discovery, but which was appropriated especially to the reasonings of Natural Theology, has fallen to the province of the discussions of Natural Selection, and has been wonderfully enlarged in consequence. It cannot be denied that this change has weakened the force of the *arguments* of Natural Theology; but it is simply by way of subtraction or by default, and not as offering any arguments opposed to the main conclusions of theology. "Natural Selection is not inconsistent with Natural Theology," in the sense of refuting the main conclusions of that science, but only by reducing to the condition of an arbitrary assumption one important point in its interpretation of special adaptations in organic life, namely, the assumption that in such adaptations foresight and special provision is shown, analogous to the designing, anticipatory imaginings and volitions in the mental actions of the higher animals, and especially in the mind of man.

Upon this point the doctrine of Natural Selection assumes only such general anticipation of the wants or advantages of an animal or plant as is implied in the laws of inheritance. That is, an animal or a plant is produced adapted to the *general* conditions of its existence, with only such anticipation of a change or of varieties in these conditions as is implied in its

general tendencies to vary from the inherited type. Particular uses have no special causal relations to the variations that occur and become of use. In other words, Natural Selection, as an hypothesis, does not assume, and, so far as it is based on observation, it affords no evidence, that any adaptation is specially anticipated in the order of nature. From this point of view, the wonderfully intricate system of special adaptations in the organic world is, at any epoch of its history, altogether retrospective. Only so far as the past affords a type of the future, both in the organism itself and in its external conditions, can the conditions of existence be said to determine the adaptations of life. As thus interpreted, the doctrine of Final Causes is deprived of the feature most obnoxious to its opponents, that abuse of the doctrine "which makes the cause to be engendered by the effect." But it is still competent to the devout mind to take a broader view of the organic world, to regard, not its single phases only, but the whole system from its first beginnings as presupposing all that it exhibits, or has exhibited, or could exhibit, of the contrivances and adaptations which may thus in one sense be said to be foreordained. In this view, however, the organical sciences lose their traditional and peculiar value to the arguments of Natural Theology, and become only a part of the universal order of nature, like the physical sciences generally, in the principles of which philosophers have professed to find no sign of a divinity. But may they not, while professing to exclude the *idea* of God from their systems, have really included him unwittingly, as immanent in the very thought that denies, in the very systems that ignore him? So far as Natural Theology aims to prove that the principles of utility and adaptation are all-pervasive laws in the organic world, Natural Selection is not only not inconsistent, but is identical with it. But here Natural Selection pauses. It does not go on to what has been really the peculiar province of Natural Theology, to discover, or trace the analogies of organic adaptations to proper designs, or to the anticipations of wants and advantages in the mental actions of man and the higher animals. In themselves these mental actions bear a striking resemblance to those aspects of organic life in general, which Natural Selection regards; and according to the views of the experiential psy-

chologist, this resemblance is not a mere analogy. In themselves, and without reference to the external uses of these mental actions, they are the same generalized reproductions of a past experience as those which the organic world exhibits in its laws of inheritance, and are modified by the same tentative powers and processes of variation, but to a much greater degree. But here the resemblance ceases. The relations of such mental actions to the external life of an organism, in which they are truly prophetic and providential agencies, though founded themselves on the observation of a past order in experience, are entirely unique and unparalleled, so far as any assumption in the doctrine of Natural Selection, or any proofs which it adduces are concerned. Nevertheless, a greater though vaguer analogy remains. *Some* of the wants and adaptations of men and animals are anticipated by their designing mental actions. Does not a like foreseeing power, ordaining and governing the whole of nature, anticipate and specially provide for *some* of its adaptations? This appears to be the distinctive position in which Natural Theology now stands.

We have dwelt somewhat at length on this aspect of our author's subject, with reference to its bearing on his philosophical views, set forth in his concluding essay on "The Limits of Natural Selection as applied to Man," in which his theological position appears to be that which we have just defined. We should like to quote many passages from the preceding essays, in illustration of the principle of utility and adaptation, in which Mr. Wallace appears at his best; but one example must suffice. "It is generally acknowledged that the best test of the truth and completeness of a theory is the power which it gives us of prevision"; and on this ground Mr. Wallace justly claims great weight for the following inquiry into the "use of the gaudy colors of many caterpillars," in the essay on Mimicry, etc., p. 117: —

"Since this essay was first published, a very curious difficulty has been cleared up by the application of the general principle of protective coloring. Great numbers of caterpillars are so brilliantly marked and colored as to be very conspicuous even at a considerable distance, and it has been noticed that such caterpillars seldom hide themselves. Other species, however, are green or brown, closely resembling the col-

ors of the substances on which they feed; while others again imitate sticks, and stretch themselves out motionless from a twig, so as to look like one of its branches. Now, as caterpillars form so large a part of the food of birds, it was not easy to understand why any of them should have such bright colors and markings as to make them specially visible. Mr. Darwin had put the case to me as a difficulty from another point of view, for he had arrived at the conclusion that brilliant coloration in the animal kingdom is mainly due to sexual selection, and this could not have acted in the case of sexless larvæ. Applying here the analogy of other insects, I reasoned, that since some caterpillars were evidently protected by their imitative coloring, and others by their spiny or hairy bodies, the bright colors of the rest must also be in some way useful to them. I further thought, that as some butterflies and moths were greedily eaten by birds while others were distasteful to them, and these latter were mostly of conspicuous colors, so probably these brilliantly colored caterpillars were distasteful and therefore never eaten by birds. Distastefulness alone would, however, be of little service to caterpillars, because their soft and juicy bodies are so delicate, that if seized and afterwards rejected by a bird they would almost certainly be killed. Some constant and easily perceived signal was therefore necessary to serve as a warning to birds never to touch these uneatable kinds, and a very gaudy and conspicuous coloring, with the habit of fully exposing themselves to view, becomes such a signal, being in strong contrast with the green and brown tints and retiring habits of the eatable kinds. The subject was brought by me before the Entomological Society (see Proceedings, March 4, 1867), in order that those members having opportunities for making observations might do so in the following summer," etc.

Extensive experiments with birds, insectivorous reptiles, and spiders, by two British naturalists, were published two years later, and fully confirmed Mr. Wallace's anticipations. His book is full of such curious matters.

In a controversial essay called "Creation by Law," an answer to various criticisms of the doctrine of Natural Selection, Mr. Wallace is equally happy and able; and in his essay on "The Action of Natural Selection on Man," he shows a wonderful sagacity and skill in developing a new phase of his subject, while meeting, as in so many other cases, obstacles and objections to the theory. It appears, both by geological evidence and by deductive reasonings in this essay, that the human race is singularly exempt from variation, and the ac-

tion of Natural Selection, so far as its merely physical qualities are concerned. This follows from theoretical considerations, since the race has come to depend mainly on its mental qualities, and since it is on these, and not on its bodily powers, that Natural Selection must act. Hence the small amount of physical differences between the earliest men of whom the remains have been found and the men of the present day, as compared to differences in other and contemporary races of mammals. We may generalize from this and from Mr. Darwin's observation on the comparatively extreme variability of plants, that in the scale of life there is a gradual decline in physical variability, as the organism has gathered into itself resources for meeting the exigencies of changing external conditions; and that while in the mindless and motionless plant these resources are at a *minimum*, their *maximum* is reached in the mind of man, which, at length, rises to a level with the total order and powers of nature, and in its scientific comprehension of nature is a summary, an epitome of the world. But the scale of life determined by the number and variety of actual resources in an organism ought to be distinguished from the rank that depends on a high degree of speciality in particular parts and functions, since in such respects an organism tends to be highly variable.

But Mr. Wallace thinks, and argues in his concluding essay, that this marvellous being, the human mind, cannot be a product of Natural Selection; that some, at least, of the mental and moral qualities of man are beyond the jurisdiction and measure of utility; that Natural Selection has its limits, and that among the most conspicuous examples of its failure to explain the order of nature are the more prominent and characteristic distinctions of the human race. Some of these, according to Mr. Wallace, are physical; not only the physical instruments of man's mental nature, his voluminous brain, his cunning hand, the structure and power of his vocal organs, but also a characteristic which appears to have no relation to his mental nature, — his nakedness. Man is distinguished from all soft and delicate skinned terrestrial mammals in having no hairy covering to protect his body. In other mammals the hair is a protection against rain, as is proved by the manner in which

it is disposed, — a kind of argument, by the way, especially prized by Cuvier, which has acquired great validity since Harvey's reasonings on the valves of the veins.* The backs of these animals are more especially protected in this way. But it is from the back more especially that the hairy covering is missed in the whole human race ; and is so effectually abolished as a character of the species, that it never occurs even by such reversions to ancestral types as are often exhibited in animal races. How could this covering have ever been injurious, or other than useful to men ? Or, if at any time in the past history of the race it was for any unknown reason injurious, why should not the race, or at least some part of it, have recovered from the loss and acquired anew so important a protection ? Mr. Wallace is not unmindful of Mr. Darwin's doctrine of Correlated Variation, and the explanations it affords of useless and

* It is remarkable that our author should be so willing to attribute such a slight and unimportant character as the hair of animals, and even the lay of it, to Natural Selection, and, at the same time, should regard the absence of it from the human back as beyond the resources of natural explanations. We credit him, nevertheless, with the clearest appreciation, through his studies and reflections, of the extent of the action of the law which he independently discovered ; which comprises in its scope, not merely the stern necessities of mere existence, but the gentlest amenities of the most favored life. Sexual Selection, with all its obscure and subtle influences, is a type of this gentler action, which ranges all the way in its command of fitnesses from the hard necessities of utility and warfare to the apparently useless superfluities of beauty and affection. Nay, more, a defect which, without subtracting from the attractions or any other important external advantage in an animal, should simply be the source of private discomfort to it, is certain to come under the judgments of this all-searching principle.

It is a fair objection, however, sometimes made against the theory of Natural Selection, that it abounds in loopholes of ingenious escape from the puzzling problems of nature ; and that, instead of giving real explanations of many phenomena, it simply refers them in general terms to obscure and little known, perhaps wholly inadequate causes, of which it holds *omne ignotum pro magnifico*. But this objection, though good, so far as it goes, against the theory, is not in favor of any rival hypothesis, least of all of that greatest of unknown causes, the supernatural, which is magnificent indeed in adequacy, if it be only real, but whose reality must rest forever on the negative evidence of the insufficiency, not only of the known, but of all possible natural explanations, and whose sufficiency even is, after all, only the counterpart or reflection of their apparent insufficiencies. Hence the objection is a fair one only against certain phases of this theory, and against the tendency to rest satisfied with its imperfect explanations, or to regard them lightly as trivial defects. But to such criticisms the progress of the theory itself, in the study of nature, is a sufficient answer in general, and is a triumphant vindication of the mode of inquiry, against which such criticisms are sometimes unjustly made.

even injurious characters in animals; but he limits his consideration of it to the supposition that the loss of hair by the race might have been a physiological consequence of correlation with some past unknown hurtful qualities. From such a loss, however, he argues, the race ought to have recovered. But he omits to consider the possible correlation of the absence of hair with qualities not necessarily injurious, but useful, which remain and equally distinguish the race. Many correlated variations are quite inexplicable. "Some are quite whimsical: thus cats, which are entirely white and have blue eyes, are generally deaf," and very few instances could be anticipated from known physiological laws, such as homological relations. There is, however, a case in point, cited by Mr. Darwin, the correlation of imperfect teeth with the nakedness of the hairless Turkish dog. If the intermediate varieties between men and the man-apes had been preserved, and a regular connection between the sizes of their brains, or developments of the nervous system, and the amount of hair on their backs were observed, this would be as good evidence of correlation between these two characters as that which exists in most cases of correlation. But how, in the absence of any evidence to test this or any other hypothesis, can Mr. Wallace presume to say that the law of Natural Selection cannot explain such a peculiarity? It may be that no valid proof is possible of any such explanation, but how is he warranted in assuming on that account some exceptional and wholly occult cause for it? There is a kind of correlation between the presence of brains and the absence of hair which is not of so obscure a nature, and may serve to explain in part, at least, why Natural Selection has not restored the protection of a hairy coat, however it may have been lost. Mr. Wallace himself signalizes this correlation in the preceding essay. It is that through which art supplies to man in a thousand ways the deficiencies of nature, and supersedes the action of Natural Selection. Every savage protects his back by artificial coverings. Mr. Wallace cites this fact as a proof that the loss of hair is a defect which Natural Selection ought to remedy. But why should Natural Selection remedy what art has already cared for? In this essay Mr. Wallace seems to us to have laid aside his usual scientific caution and acute-

ness, and to have devoted his powers to the service of that superstitious reverence for human nature which, not content with prizing at their worth the actual qualities and acquisitions of humanity, desires to intrench them with a deep and metaphysical line of demarcation.

There are, doubtless, many and very important limitations to the action of Natural Selection, which the enthusiastic student of the science ought to bear in mind; but they belong to the application of the principle of utility to other cases as well as to that of the derivation of human nature. Mr. Wallace regards the vocal powers of the human larynx as beyond the generative action of Natural Selection, since the savage neither uses nor appreciates all its powers. But the same observation applies as well to birds, for certain species, as he says in his essay on "The Philosophy of Bird's Nests," "which have naturally little variety of song, are ready in confinement to learn from other species, and become much better songsters." It would not be difficult to prove that the musical capacities of the human voice involve no elementary qualities which are not involved in the cadences of speech, and in such other powers of expression as are useful at least, if not indispensable, in language. There are many consequences of the ultimate laws or uniformities of nature, through which the acquisition of one useful power will bring with it many resulting advantages, as well as limiting disadvantages, actual or possible, which the principle of utility may not have comprehended in its action. This principle necessarily presupposes a basis in an antecedent constitution of nature, in principles of fitness, and laws of cause and effect, in the origin of which it has had no agency. The question of the origin of this constitution, if it be a proper question, belongs to metaphysical philosophy, or, at least, to its pretensions. Strictly speaking, Natural Selection is not a cause at all, but is the mode of operation of a certain quite limited class of causes.* Natural Selection never made it

* Though very limited in extent, this class is marked out only by the single character, that the efficient causes (of whatever nature, whether the forces of simple growth and reproduction, or the agency of the human will), are yet of such a nature as to act through the principles of utility and choice. It includes in its range, therefore, developments of the simplest adaptive organic characters on one hand,

come to pass, as a habit of nature, that an unsupported stone should move downwards rather than upwards. It applies to no part of inorganic nature, and is very limited even in the phenomena of organic life.

In his obvious anxiety to establish for the worth of human nature the additional dignity of metaphysical isolation, Mr. Wallace maintains the extraordinary thesis that "the brain of the savage is larger than he needs it to be"; from which he would conclude that there is in the size of the savage's brain a special anticipation or prophecy of the civilized man, or even of the philosopher, though the inference would be far more natural, and entirely consistent with Natural Selection, that the savage has degenerated from a more advanced condition. The proofs of our author's position consist in showing that there is a very slight

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and the growths of language and other human customs on the other. It has been objected that Natural Selection does not apply to the origin of languages, because language is an invention, and the work of the human will; and it is clear, indeed, that Natural, as distinguished from Artificial, Selection is not properly the cause of language, or of the custom of speech. But to this it is sufficient to reply, that the contrast of Natural and Artificial Selections is not a contrast of principles, but only of illustrations, and that the common principle of "the survival of the fittest" is named by Synecdoche from the broader though more obscure illustration of it. If it can be shown that the choice of a word from among many words as the name of an object or idea, or the choice of a dialect from among many varieties of speech, as the language of literature, is a universal process in the developments of speech and is determined by real, though special grounds of fitness, then this choice is a proper illustration of the principle of Natural Selection; and is the more so, with reference to the name of the principle, in proportion as the process and the grounds of fitness in this choice differ from the common volitions and motives of men, or are obscured by the imperfections of the records of the past, or by the subtleties of the associations which have determined it in the minds of the inventors and adopters of language. It is important, however, to distinguish between the origins of languages or linguistic customs, which are questions of philology, and the psychological question of the origin of language in general, or the origin in human nature of the inventions and uses of speech. Whether Natural Selection will serve to solve the latter question remains to be seen. In connection, however, with the resemblance, here noted, between the primitive, but regularly determined inventions of the mind and Natural Selection in its narrower sense, it is interesting to observe a corresponding resemblance between the theories of Free-Will and Creation, which are opposed to them. The objection that the origin of languages does not belong to the inquiries of Natural Selection, because language is an invention, and the work of Free-Will, thus appears to be parallel to the objection to Natural Selection, that it attempts to explain the work of Creation; and both objections obviously beg the questions at issue. But both objections have force with reference to the real and proper limitations of Natural Selection, and to the antecedent conditions of its action.

difference between the average size of the savage's brain and that of the European, and that even in prehistoric man the capacity of the skull approaches very near to that of the modern man, as compared to the largest capacity of anthropoid skulls. Again, the size of the brain is a measure of intellectual power, as proved by the small size of idiotic brains, and the more than average size of the brains of great men, or "those who combine acute perception with great reflective powers, strong passions, and general energy of character." By these considerations "the idea is suggested of a surplusage of power, of an instrument beyond the needs of its possessor." From a rather artificial and arbitrary measure of intellectual power, the scale of marks in university examinations, as compared to the range of sizes in brains, Mr. Wallace concludes it to be fairly inferred, "that the savage possesses a brain capable, if cultivated and developed, of performing work of a kind and degree far beyond what he ever requires it to do." But how far removed is this conclusion from the idea that the savage has more brains than he needs! Why may it not be that all that he can do with his brains beyond his needs is only incidental to the powers which are directly serviceable? Of what significance is it that his brain is twice as great as that of the man-ape, while the philosopher only surpasses him one sixth, so long as we have no real measure of the brain power implied in the one universal characteristic of humanity, the power of language, — that is, the power to invent and use arbitrary signs?

Mr. Wallace most unaccountably overlooks the significance of what has always been regarded as the most important distinction of the human race, — its rationality as shown in language. He even says that "the mental requirements of savages, and the faculties actually exercised by them, are very little above those of animals." We would not call in question the accuracy of Mr. Wallace's observations of savages; but we can hardly accord equal credit to his accuracy in estimating the mental rank of their faculties. No doubt the savage mind seems very dull as compared with the sagacity shown by many animals; but a psychological analysis of the faculty of language shows that even the smallest proficiency in it might require more brain power than the greatest in any other

direction. For this faculty implies a complete inversion of the ordinary and natural orders of association in the mind, or such an inversion as in mere parroting would be implied by the repetition of the words of a sentence in an inverse order, — a most difficult feat even for a philosopher. "The power of abstract reasoning and ideal conception," which Mr. Wallace esteems as a very great advance on the savage's proficiency, is but another step in the same direction, and here, too, *ce n'est que le premier pas qui coûte*. It seems probable enough that brain power proper, or its spontaneous and internal determinations of the perceptive faculties, should afford directly that *use* or *command* of a *sign* which is implied in language, and essentially consists in the power of turning back the attention from a suggested fact or idea to the suggesting ones, with reference to their use, in place of the naturally passive following and subserviency of the mind to the orders of first impressions and associations. By inverting the proportions which the latter bear to the forces of internal impressions, or to the powers of imagination in animals, we should have a fundamentally new order of mental actions; which, with the requisite motives to them, such as the social nature of man would afford, might go far towards defining the relations, both mental and physical, of human races to the higher brute animals. Among these the most sagacious and social, though they may understand language, or follow its significations, and even by indirection acquire some of its uses, yet have no direct *power of using*, and no power of *inventing* it.

But as we do not know, and have no means of knowing, what is the quantity of intellectual power, as measured by brains, which even the simplest use of language requires, how shall we be able to measure on such a scale the difference between the savage and the philosopher; which consists, not so much in additional elementary faculties in the philosopher, as in a more active and persistent use of such faculties as are common to both; and depends on the external inheritances of civilization, rather than on the organic inheritances of the civilized man? It is the *kind* of mental acquisition of which a race may be capable, rather than the amount which a trained individual may acquire, that we should suppose to be more immediately

measured by the size of the brain; and Mr. Wallace has not shown that this *kind* is not serviceable to the savage. Idiots have sometimes great powers of acquisition of a certain low order of facts and ideas. Evidence upon this point, from the relations of intellectual power to the growth of the brain in children, is complicated in the same way by the fact that powers of acquisition are with difficulty distinguished from, and are not a proper measure of, the intellectual powers, which depend directly on organic conditions, and are independent of an external inheritance.

But Mr. Wallace follows, in his estimations of distinct mental faculties, the doctrines of a school of mental philosophy which multiplies the elementary faculties of the mind far beyond any necessity. Many faculties are regarded by this school as distinct, which are probably only simple combinations or easy extensions of other faculties. The philosopher's mental powers are not necessarily different in their elements from those which the savage has and needs in his struggle for existence, or to maintain his position in the scale of life and the resources on which he has come to depend. The philosopher's powers are not, it is true, the direct results of Natural Selection, or of utility; but may they not result by the elementary laws of mental natures and external circumstances, from faculties that *are* useful? If they imply faculties which are useless to the savage, we have still the natural alternative left us, which Mr. Wallace does not consider, that savages, or all the races of savages now living, are degenerate men, and not the proper representatives of the philosopher's ancestors. But this alternative, though the natural one, does not appear to us as necessary; for we are not convinced that "the power of conceiving eternity and infinity, and all those purely abstract notions of form, number, and harmony, which play so large a part in the life of civilized races," are really so "entirely outside of the world of thought of the savage" as our author thinks. Are they not rather implied and virtually acquired in the powers that the savage has and needs, — his powers of inventing and using even the concrete terms of his simple language? The fact that it does not require Natural Selection, but only the education of the individual savage, to develop in him these results, is to us

a proof, not that the savage is specially provided with faculties beyond his needs, nor even that he is degenerated, but that mind itself, or elementary mental natures, in the savage and throughout the whole sentient world, involve and imply such relations between actual and potential faculties; just as the elementary laws of physics involve many apparently, or at first sight distinct and independent applications and utilities. Ought we to regard the principle of "suction," applied to the uses of life in so many and various animal organisms, as specially prophetic of the mechanical invention of the pump and of similar engines? Shall we say that in the power of "suction" an animal possesses faculties that he does not need? Natural Selection cannot, it is true, be credited with such relations in development. But neither can they be attributed to a special providence in any intelligible sense. They belong rather to that constitution of nature, or general providence, which Natural Selection presupposes.

The theories of associational psychology are so admirably adapted to the solution of problems, for which Mr. Wallace seems obliged to call in the aid of miracles, that we are surprised he was not led by his studies to a more careful consideration of them. Thus in regard to the nature of the moral sense, which Mr. Wallace defines in accordance with the intuitional theory as "a feeling, — a sense of right and wrong, — in our nature, antecedent to, and independent of, experiences of utility," — this sense is capable of an analysis which meets and answers very simply the difficulties he finds in it on the theory of Natural Selection. The existence of feelings of approval and disapproval, or of likings and aversions to certain classes of actions, and a sense of obligation, are eminently useful in the government of human society, even among savages. These feelings may be associated with the really useful and the really harmful classes of actions, or they may not be. Such associations are not determined simply by utility, any oftener than beliefs are by proper evidence. But utility tends to produce the proper associations; and in this, along with the increase of these feelings themselves, consists the moral progress of the race. Why should not a fine sense of honor and an uncompromising veracity be found, then, among savage tribes, as

in certain instances cited by Mr. Wallace ; since moral feelings, or the motives to the observance of rules of conduct, lie at the foundation of even the simplest human society, and rest directly on the utility of man's political nature ; and since veracity and honor are not merely useful, but indispensable in many relations, even in savage lives ? Besides, veracity being one of the earliest developed instincts of childhood, can hardly with propriety be regarded as an original moral instinct, since it matures much earlier than the sense of obligation, or any feeling of the sanctity of truth. It belongs rather to that social and intellectual part of human nature from which language itself arises. The desire of communication, and the desire of communicating the truth, are originally identical in the ingenuous social nature. Is not this the source of the "mystical sense of wrong," attached to untruthfulness, which is, after all, regarded by mankind at large as so venial a fault ? It needs but little early moral discipline to convert into a strong moral sentiment so natural an instinct. Deceitfulness is rather the acquired quality, so far as utility acts directly on the development of the individual, and for his advantage ; but the native instinct of veracity is founded on the more primitive utilities of society and human intercourse. Instead, then, of regarding veracity as an original moral instinct, "antecedent to, and independent of, experiences of utility," it appears to us more natural to regard it as originally an intellectual and social instinct, founded in the broadest and most fundamental utilities of human nature. The extension of the moral nature beyond the bounds of the necessities and utilities of society does not require a miracle to account for it ; since, according to the principles of the associational psychology, it follows necessarily from the elementary laws of the mind. The individual experiences of utility which attach the moral feelings to rules of conduct are more commonly those of rewards and punishments than of the direct or natural consequences of the conduct itself; and associations thus formed come to supersede all conscious reference to rational ends, and act upon the will in the manner of an instinct. The uncalculating, uncompromising moral imperative is not, it is true, derived from the individual's direct experiences of its utility ; but neither does

the instinct of the bee, which sacrifices its life in stinging, bear any relation to its individual advantage. Are we warranted, then, in inferring that the sting is useless to the bee? Suppose that whole communities of bees should occasionally be sacrificed to their instinct of self-defence, would this prove their instinct to be independent of a past or present utility, or to be prophetic of some future development of the race? Yet such a conclusion would be exactly parallel to that which Mr. Wallace draws from the fact that savages sometimes deal honorably with their enemies to their own apparent disadvantage. It is a universal law of the organic world, and a necessary consequence of Natural Selection, that the individual comprises in its nature chiefly what is useful to the race, and only incidentally what is useful to itself; since it is the race, and not the individual, that endures or is preserved. This contrast is the more marked in proportion as a race exhibits a complicated polity or social form of life; and man, even in his savage state, "is more political than any bee or ant." The doctrine of Natural Selection awakens a new interest in the problems of psychology. Its inquiries are not limited to the origin of species. "In the distant future," says Mr. Darwin, "I see open fields for far more important researches. Psychology will be based on a new foundation, — that of the necessary acquirement of each mental power and capacity by gradation. Light will be thrown on the origin of man and his history." More light we are sure can be expected from such researches than has been discovered by Mr. Wallace, in the principles and analyses of a mystical and metaphysical psychology.

The "origin of consciousness," or of sensation and thought, is relegated similarly by Mr. Wallace to the immediate agency or interposition of a metaphysical cause, as being beyond the province of secondary causes, which could act to produce it under the principle of Natural Selection. And it is doubtless true, nay, unquestionable, that sensation as a simple nature, with the most elementary laws of its activity, does really belong to the primordial facts in that constitution of nature, which is presupposed by the principle of utility as the ground or condition of the fitnesses through which the principle acts. In like manner the elements of organization, or the capacities of living

matter in general, must be posited as antecedent to the mode of action which has produced in it, and through its elementary laws, such marvellous results. But if we mean by "consciousness" what the word is often and more properly used to express,—that total and complex structure of sensibilities, thoughts, and emotions in an animal mind, which is so closely related to the animal's complex physical organization,—so far is this from being beyond the province of Natural Selection, that it affords one of the most promising fields for its future investigations.*

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* In further illustration of the range of the explanations afforded by the principle of Natural Selection, to which we referred in our note, page 293, we may instance an application of it to the more special psychological problem of the development of the individual mind by its own experiences, which presupposes, of course, the innate powers and mental faculties derived (whether naturally or supernaturally) from the development of the race. Among these native faculties of the individual mind is the power of reproducing its own past experiences in memory and belief; and this is, at least, analogous, as we have said, to the reproductive powers of physical organisms, and like these is in itself an unlimited, expansive power of repetition. Human beliefs, like human desires, are naturally illimitable. The generalizing instinct is native to the mind. It is not the result of habitual experiences, as is commonly supposed, but acts as well on *single* experiences, which are capable of producing, when unchecked, the most unbounded beliefs and expectations of the future. The only checks to such unconditional natural beliefs are *other* and equally unconditional and natural beliefs, or the contradictions and limiting conditions of experience. Here, then, is a close analogy, at least, to those fundamental facts of the organic world on which the law of Natural Selection is based; the facts, namely, of the "rapid increase of organisms," limited only by "the conditions of existence," and by competition in that "struggle for existence" which results in the "survival of the fittest." As the tendency to an unlimited increase in existing organisms is held in check only by those conditions of their existence which are chiefly comprised in the like tendencies of other organisms to unlimited increase, and is thus maintained (so long as external conditions remain unchanged) in an unvarying balance of life; and as this balance adjusts itself to slowly changing external conditions, so, in the history of the individual mind, beliefs which spring spontaneously from simple and single experiences, and from a naturally unlimited tendency to generalization, are held mutually in check, and in their harmony represent the properly balanced experiences and knowledges of the mind, and by adaptive changes are kept in accordance with changing external conditions, or with the varying total results in the memory of special experiences. This mutual limitation of belief by belief, in which consists so large a part of their proper *evidence*, is so prominent a feature in the beliefs of the rational mind, that philosophers had failed to discover their true nature, as elementary facts, until this was pointed out by the greatest of living psychologists, Professor Alexander Bain. The mutual tests and checks of beliefs have, indeed, always appeared to a great majority of philosophers as their only proper evidence; and beliefs themselves have appeared as purely intellectual phases of the mind. But Bain has defined them, in respect to their ultimate

Whatever the results of such investigations, we may rest assured that they will not solve; will never even propound the problem peculiar to metaphysics (if it can properly be called a problem), the origin of sensation or simple consciousness, the problem *par excellence* of pedantic garrulity or philosophical childishness. Questions of the special physical antecedents, concomitants, and consequents of special sensations will doubtless continue to be the legitimate objects of empirical researches and of important generalizations; and such researches may succeed in reducing all other facts of actual experience, all our knowledge of nature, and all our thoughts and emotions to intelligible modifications of these simple and fundamental existences; but the attempt to reduce sensation to anything but sensation is as gratuitous and as devoid of any suggestion or guidance of experience, as the attempt to reduce the axioms of the mathematical or mechanical sciences to simpler orders of uni-

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natures, as phases of the will; or as the tendencies we have to *act* on mere experience, or to *act* on our simplest, most limited experiences. They are tendencies, however, which become so involved in intellectual developments, and in their mutual limitations, that their ultimate results in rational beliefs have very naturally appeared to most philosophers as purely intellectual facts; and their real genesis in experience has been generally discredited, with the exception of what are designated specially as "empirical beliefs."

It may be objected that the generative process we have here described bears only a remote and fanciful analogy, and not an essential resemblance, to Natural Selection in the organic world. But to this it is, perhaps, sufficient to reply (as in the case of the origin of language), that if "the survival of the fittest" is a true expression of the law, — it is to Mr. Herbert Spencer we owe this most precise definition, — then the development of the individual mind presents a true example of it; for our knowledges and rational beliefs result, *truly and literally*, from the survival of the fittest among our original and spontaneous beliefs. It is only by a figure of speech, it is true, that this "survival of the fittest" can be described as the result of a "struggle for existence" among our primitive beliefs; but this description is equally figurative as applied to Natural Selection in the organic world.

The application of the principle to mental development takes for granted, as we have said, the faculties with which the individual is born, and in the human mind these include that most efficient auxiliary, the faculty of using and inventing language. How Natural Selection could have originated this is not so easy to trace, and is an almost wholly speculative question; but if the faculty consists essentially, as we have supposed, in a preponderance of the active and spontaneous over the passive powers of the brain, effecting the turning-back or reflective action of the mind, while the latter simply result in the following out or sagacious habit, we see at least that the contrast need not depend on the absolute size of the brain, but only on the

versal facts. In one sense material phenomena, or physical objective states, are causes or effects of sensations, bearing as they do the invariable relations to them of antecedents, or concomitants, or consequents. But these are essentially empirical relations, explicable perhaps by more and more generalized empirical laws, but approaching in this way never one step nearer to an explanation of material conditions by mental laws, or of mental natures by the forces of matter. Matter and mind coexist. There are no scientific principles by which either can be determined to be the cause of the other. Still, so far as scientific evidence goes, mind exists in direct and peculiar relations to a certain form of matter, the organic, which is not a different kind, though the properties of no other forms are in themselves capable, so far as scientific observation has yet determined, of giving rise to it. The materials and the forces of organisms are both derived from other forms of matter, as well as from the organic; but the organic form itself appears to be limited to the productive

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proportion of the powers that depend on its quantity to those that depend on its quality. We should naturally suppose, therefore, that the earliest men were probably not very sagacious creatures, perhaps much less so than the present uncivilized races. But they were, most likely, very social; even more so, perhaps, than the sagacious savage; for there was needed a strong motive to call this complicated and difficult mental action into exercise; and it is even now to be observed that sagacity and sociability are not commonly united in high degrees even among civilized men. Growths both in the quantity and quality of the brain are, therefore, equally probable in the history of human development, with always a preponderance of the advantages which depend upon quantity. But the present superiority of the most civilized races, so far as it is independent of any external inheritance of arts, knowledges, and institutions, would appear to depend chiefly upon the *quality* of their brains, and upon characteristics belonging to their moral and emotional natures rather than the intellectual, since the intellectual acquisitions of civilization are more easily communicated by education to the savage than the refinements of its moral and emotional characteristics. Though all records and traces of this development are gone, and a wide gulf separates the lowest man from the highest brute animal, yet elements exist by which we may trace the succession of utilities and advantages that have determined the transition. The most essential are those of the social nature of man, involving mutual assistance in the struggle for existence. Instrumental to these are his mental powers, developed by his social nature, and by the reflective character of his brain's action into a general and common intelligence, instead of the specialized instincts and sagacities characteristic of other animals; and from these came language, and thence all the arts, knowledges, governments, traditions, all the external inheritances, which, reacting on his social nature, have induced the sentiments of morality, worship, and refinement; at which gazing as in a mirror he sees his past, and thinks it his future.

powers of matters and forces which already have this form. The transcendental doctrine of development (which is not wholly transcendental, since it is guided, at least vaguely, by the scientific principles of cause and effect, or by the continuities and uniformities of natural phenomena) assumes that in the past course of nature the forms as well as the materials and forces of organic matter had at one time a causal connection with other forms of material existence. Mental natures, and especially the simplest, or sensations, would have had, according to this assumption, a more universal relation of immediate connection than we now know with properties of the sort that we call material. Still, by the analogies of experience they cannot be regarded as having been either causes or effects of them. Our ignorances, or the as yet unexplored possibilities of nature, seem far preferable to the vagueness of this theory, which, in addition to the continuities and uniformities universally exhibited in nature, assumes transcendentally, as a universal first principle, the law of *progressive change*, or a law which is *not* universally exemplified by the course of nature. We say, and say truly, that a stone has no sensation, since it exhibits none of the signs that indicate the existence of sensations. It is not only a purely objective existence, like everything else in nature, except our own individual self-consciousness, but its properties indicate to us no other than this purely objective existence, unless it be the existence of God. To suppose that its properties could possibly result in a sensitive nature, not previously existing or coexisting with them, is to reason entirely beyond the guidance and analogies of experience. It is a purely gratuitous supposition, not only metaphysical or transcendental, but also materialistic; that is, it is not only asking a foolish question, but giving a still more foolish answer to it. In short, the metaphysical problem may be reduced to an attempt to break down the most fundamental antithesis of all experience, by demanding to know of its terms which of them is the other. To this sort of fatuity belongs, we think, the mystical doctrine which Mr. Wallace is inclined to adopt, "that FORCE is a product of MIND"; which means, so far as it is intelligible, that forces, or the physical antecedents and conditions of motion (apprehended, it is true, along with motion itself, through our sensations and volitions),

yet bear to our mental natures the still closer relation of resemblance to the prime agency of the Will; or it means that "all force is probably will-force." Not only does this assumed mystical resemblance, expressed by the word "will-force," contradict the fundamental antithesis of subject and object phenomena (as the word "mind matter" would), but it fails to receive any confirmation from the law of the correlation of the physical forces. All the motions of animals, both voluntary and involuntary, are traceable to the efficiency of equivalent material forces in the animal's physical organization. The cycles of equivalent physical forces are complete, even when their courses lie through the voluntary actions of animals, without the introduction of conscious or mental conditions. The sense of effort is not a form of force. The painful or pleasurable sensations that accompany the conversions of force in conscious volitions are not a consciousness of this force itself, nor even a proper measure of it. The Will is not a measurable quantity of energy, with its equivalents in terms of heat, or falling-force, or chemical affinity, or the energy of motion, unless we identify it with the vital energies of the organism, which are, however (unfortunately for this hypothesis), the causes of the involuntary movements of an animal, as well as of its proper volitions considered from their physical side.

But Mr. Wallace is inclined to the opinion that the Will is an incident force, regulating and controlling the action of the physical forces of the vital machine, but contributing, even in this capacity, some part at least to the actual moving forces of the living frame. He says: —

> "However delicately a machine may be constructed, with the most exquisitely contrived detents to release a weight or spring by the exertion of the smallest possible amount of force, *some* external force will always be required; so in the animal machine, however minute may be the changes required in the cells or fibres of the brain, to set in motion the nerve currents which loosen or excite the pent-up forces of certain muscles, *some force* must be required to effect those changes."

And this force he supposes to be the Will. This is the most intelligible materialism we have ever met with in the discussions of this subject. It is true that in a machine, not only the

main efficient forces, but also the incident and regulating ones, are physical forces; and however small the latter may be, they are still of the same nature, and are comparable in amount with the main efficient forces. But is not this one of the most essential differences between a machine and a sensitive organism? Is it impossible, then, that nature has contrived an infinitely more perfect machine than human art can invent, — machinery which involves the powers of art itself, if it be proper to call that contrivance a machine, in which the regulating causes are of a wholly different nature from the efficient forces? May it not be that sensations and mental conditions, generally, are regulating causes which add nothing, like the force of the hand of the engineer to the powers which he controls in his machine, and subtract nothing, as an automatic apparatus does, from such powers in the further regulation of the machine? We may not be able to understand how such regulation is possible; how sensations and other mental conditions can restrain, excite, and combine the conversions of physical forces in the cycles into which they themselves do not enter; though there is a type of such regulation in the principles of theoretical mechanics, in the actions of forces which do not affect the quantities of the actual or potential energies of a system of moving bodies, but simply the form of the movement, as in the rod of the simple pendulum. Such regulation in the sensitive organism is more likely to be an ultimate inexplicable fact; but it is clear that even in a machine the amounts of the regulating forces bear no definite relations to the powers they control, and might, so far as these are directly concerned, be reduced to nothing as forces; and in many cases they are reduced to a *minimum* of the force of friction. They must, however, be *something* in amount in a machine, *because they are physical*, and, like all physical forces, must be derived in quantity from pre-existing forms of force. To infer from this that the Will must add something to the forces of the organism is, therefore, to assume for it a material nature. But Mr. Wallace escapes, or appears to think (as others think who hold this view) that he escapes, from complete materialism by the doctrine of the freedom of the Will. Though he makes the Will an efficient physical force, he does not allow it to be a physical

effect. In other words, he regards the Will as an absolute source of physical energy, continually adding, though in small amounts, to the store of the forces of nature; a sort of molecular leakage of energy from an absolute source into the nervous systems of animals, or, at least, of men. This, though in our opinion an unnecessary and very improbable hypothesis, is not inconceivable. It is improbable, inasmuch as it denies to the Will a character common to the physical forces with which the Will is otherwise assimilated by this theory,—the character, namely, of being an effect in measurable amount as well as a cause, or the character of belonging to cycles of changes related by invariable quantities; but as we do not regard the conservation of force as a *necessary* law of the universe, we are able to comprehend Mr. Wallace's position. It is the metaphysical method of distinguishing a machine from a sensitive organism. But we do not see why Mr. Wallace is not driven by it to the dilemma of assuming free-wills for all sentient organisms; or else of assuming, with Descartes, that all but men are machines. The latter alternative would, doubtless, redound most effectively to the metaphysical dignity of human nature. Mr. Wallace appears to think, that unless we can attribute to the Will *some* efficiency or quantity of energy, its agency must be regarded as a nullity, and our apparent consciousness of its influence as an illusion; but this opinion appears to be based on the still broader assumption, which seems to us erroneous, that all causation is reducible to the conversions of equivalent physical energies. It may be true (at least we are not prepared to dispute the assumption) that every case of real causation involves such conversions or changes in forms of energy, or that every effect involves changes of position and motion. Nevertheless, every case of real causation may still involve also another mode of causation. To us the conception is much simpler than our author's theory, and far more probable that the phenomena of conscious volition involve in themselves no proper efficiencies or forces coming under the law of the conservation of force, but are rather natural types of causes, purely and absolutely *regulative*, which add nothing to, and subtract nothing from, the quantities of natural forces. No doubt there is in the actions of the nervous

system a much closer resemblance than this to a machine. No doubt it is automatically regulated, as well as moved, by physical forces; but this is probably just in proportion as its agency — as in our habits and instincts — is removed from our conscious control. All this machinery is below, beyond, external, or foreign to our consciousness. The profoundest, most attentive introspection gains not a glimpse of its activity, nor do we ever dream of its existence; but both by the laws of its operations, and by the means through which we become aware of its existence, it stands in the broadest, most fundamental contrast to our mental natures; and these, so far from furnishing a type of physical efficiency in our conscious volitions, seem to us rather in accordance with their general contrast with material phenomena to afford a type of purely regulative causes, or of an absolutely forceless and unresisted control and regulation of those forces of nature which are comprised in the powers of organic life. Perhaps a still higher type of such regulation is to be found in those "laws of nature," which, without adding to, or subtracting from, the real forces of nature, determine the order of their conversions by "*fixed*, *stated*, or *settled*" rules of succession; and these may govern also, and probably do govern, the successions of our mental or self-conscious states, both in themselves and in their relations to material conditions. Simple, absolute, invariable rules of succession in phenomena, both physical and mental, constitute the most abstract conception we can have of causal relations; but they appear under two chief classes, the physical laws which determine the possible relations of the forms of force, and those which are also concerned in the still further determination of its actual orders of succession, or which, by their combinations in the intricate web of uniformities in nature, both mental and physical, determine the events in particular that in relation to the laws of force are only determined in general. The proper laws of force, or of the conversions of energy, are concerned exclusively with relations in space. Relations in time are governed by the other class of laws. Thus, in the abstract theory of the pendulum, the phenomena of force involved are limited simply to the vertical rise and fall of the weight, upon which alone the amounts of its motions

depend. The times of its vibrations are determined by the regulating length of the rod, which in theory adds nothing to, and subtracts nothing from, the efficient mutually convertible forces of motion and gravity. What is here assumed in theory to be true, we assume to be actually and absolutely true of mental agencies.

But it may be said, and it often is said, "that this theory of the Will's agency is directly contradicted in both its features by consciousness; that we are immediately conscious both of energy and freedom in willing." There is much in our volitional consciousness to give countenance to this contradiction; but it is only such as dreams give to contradictions of rational experience. The words "force," "energy," "effort," "resistance," "conflict," all point to states of feeling in our volitional consciousness, which seem to a superficial observation to be true intuitions of spontaneous self-originated causes; and it is only when these states of feeling are tested by the scientific definitions and the objective measures of forces, and by the orders of the conversions of force, that they are found to be only vague, subjective accompaniments, instead of distinct objective apprehensions or perceptions of what "force" signifies in science. Such tests prove them to be like the complementary or subjective colors of vision. In one sense they are intuitions of force, our only intuitions of it (as the aspects of nature are our only intuitions of the system of the world); but they are not true perceptions, since they do not afford, each feeling in itself, definite and invariable indications of force as an objective existence, or as affecting all minds alike. Even the sense of weight is no proper measure of weight as an element of force; and the muscular effort of lifting is only a vague and variable perception of this conversion of force, and does not afford even a hint of the great law of the conservation and convertibility of forces, but, on the contrary, seems to contradict it. The muscular feeling of resistance to motion or to a change of motion is an equally vague measure of *inertia*. Indeed, the feelings of weight and resistance, which are often regarded as intuitions of gravity and inertia, are insusceptible of precise measurement or numerical comparison; and though capable of being trained to some degree of precision in esti-

mating what is properly measured by other means, they could never have revealed through their unaided indications the law of the fixed and universal proportionality of these two forces. The feeling of effort itself (more or less intense, and more or less painful, according to circumstances, which are quite irrelevant to its apparent effect) appears by the testimony of consciousness to be the immediate cause of the work which is done, — work really done by forces in the vital organism, which only the most recondite researches of science have disclosed. But if this much-vaunted authority of immediate consciousness blunders so in even the simplest cases, how can our author or any judicious thinker trust its unconfirmed, unsupported testimony in regard to the agency of the Will? Is it not like trusting the testimony of the senses as to the immobility of the earth?

With hardly a point, therefore, of Mr. Wallace's concluding essay are we able to agree; and this impresses us the more, since we find nothing in the rest of his book which appears to us to call for serious criticism, but many things, on the contrary, which command our most cordial admiration. We account for it by the supposition that his metaphysical views, carefully excluded from his scientific work, are the results of an earlier and less severe training than that which has secured to us his valuable positive contributions to the theory of Natural Selection. Mr. Wallace himself is fully aware of this contrast, and anticipates a *scornful* rejection of his theory by many who in other respects agree with him.

The doctrines of the special and prophetic providences and decrees of God, and of the metaphysical isolation of human nature, are based, after all, on barbaric conceptions of dignity, which are restricted in their application by every step forward in the progress of science. And the sense of security they give us of the most sacred things is more than replaced by the ever-growing sense of the universality of inviolable laws, — laws that underlie our sentiments and desires, as well as all that these can rationally regard in the outer world. It is unfortunate that the prepossessions of religious sentiment in favor of metaphysical theories should make the progress of science always seem like an indignity to religion, or a detraction from

what is held as most sacred; yet the responsibility for this belongs neither to the progress of science nor to true religious sentiment, but to a false conservatism, an irrational respect for the ideas and motives of a philosophy which finds it more and more difficult with every advance of knowledge to reconcile its assumptions with facts of observation.

CHAUNCEY WRIGHT.

ART. III. — THE METHOD OF HISTORY.

HISTORY, in the sense of a systematic survey of the progress of society, based on the principle of a necessary order of human development, is emphatically a modern science. The ancients had no history in this sense of the term, no "universal" history as distinguished from the history of single nations. They recounted the acts or described the fortunes of tribes and states, but had nothing to say of the human family. They knew no human family. They knew only Greeks and Barbarians, Romans and Outsiders (*exteri*), Jews and Gentiles. Polybius, indeed, called his history *Καθολικὴ*, universal, but only as comprehending in its survey of Roman affairs some account of the nations with which Rome came in contact. His starting-point is Rome, not man. No classic historiographer, from Herodotus to Herodian, has attempted a history of man.

In one remarkable instance, however, the idea of such a history, and with it, of a human family, is distinctly recognized. In the Biblical Book of Genesis we have the beginning of a history of man, but one which stops short with the mythic age of the world. Biblical history brings man to the building of Babel, or the period of greatest concentration, succeeded by disruption and dispersion, and then, dismissing the theme, confines itself to the single Hebrew line. Brief and fragmentary as the narrative is, these first chapters of the Bible contain more important contributions to the science of history than all the classics.

Christianity, by intoning the brotherhood of man, awakened a new interest in human destiny. The Christian Fathers manifest a truer appreciation of the unity of the race. Bunsen calls Clement of Alexandria "the first Christian philosopher of the history of mankind." St. Augustine's "City of God" embraces in its scope the whole human race as the subject of divine education, and distributes the ages of man in six days of a thousand years each, to end with the millennium.

Of the historiographers of the Middle Age the Western are simply chroniclers,* and the Byzantines, immensely important in their line, confine themselves, with one or two exceptions,† to the Lower Empire.

With the impulse given to the human mind by the stirring events of the fifteenth and sixteenth centuries, this branch of science blossoms into new significance. The astounding discoveries of the great navigators who solved the "ocean-secret," and lifted the veil from what till then had been considered the night side of the globe, the enlarged geographic and ethnographic views and the wider survey of human kind, resulting from these discoveries, combining with the recent "Revival of Letters" and the Saxon Reformation of the Church, gave to history not only a new impulse, but a new direction. No longer partial, local, it becomes encyclopædic, cosmopolitan. The writers of history task themselves with new and higher aims, evincing a new-born consciousness of unity and integrity pervading all the epochs and all the races and generations of man. The study of history becomes academic, and Torsellino's "Epitome Historiarum" is used as a text-book in the universities of Europe.

It was not, however, until after the lapse of another century, that the fundamental principle of all history was adequately stated. It was not till then that the discovery was made of a science of history. For this science we are indebted to Italy. The country which unlocked the New World was the first to

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* Such are Eginhard, Paulus Diaconus, William of Malmesbury, Gregory of Tours, Albert of Aix, William of Tyre, Geoffroy de Villehardouin, Froissart, and Matthew Paris.

† Zonaras wrote a "History of the World"; Glycas, a "History of the World from the Creation to the Death of Alexius Comnenus."; Zosimus, a "History of the Roman Empire from Augustus to Honorius."

suggest the true interpretation of the annals of the Old. John Baptist Vico, a native of Naples, published in 1725 his "Scienza Nuova," or "Principles of a New Science relative to the Common Nature of Nations." This work contains the germ of many of the speculations of subsequent philosophies of history; but its principal merit consists in its clear and emphatic assertion of the principle of divine necessity, that is, of a natural law in historic processes and revolutions. Vico was the first to point out distinctly the analogies and parallelisms in the history of nations, and to show that the progress of society follows a given order; that nations have their necessary preappointed course of evolution and revolution; that human history, in short, no less than the material universe, is governed by fixed laws, consequently that history is a science, or that a science of history is possible. It is found, says Michelet, in his essay on the New Science, that nations the most remote in time and space follow in their political revolutions and in those of their languages a strikingly analogous course. "To disengage the regular from the accidental; to trace the universal, eternal history which develops itself in time in the form of particular histories; to describe the ideal circle within which the real world revolves, — this is the aim of the new science. It is at once the philosophy and the history of humanity."

From an examination of the languages, laws, and religions of different peoples, and a survey of the course of events in the principal nations, Vico deduces these positions: 1. Human society is based on three fundamental conditions, — worship, or the belief in Divine Providence; marriage, or the restraint of the passions; sepultural rites, or the belief in immortality. These are what Tacitus calls *fœdera generis humani*. 2. Society has three great periods, — the theocratic, the heroic, and the humane. 3. The civil and political life of nations, so long as they preserve their independence, assumes successively four different forms of government. The theocratic age produces domestic monarchy (patriarchism). The heroic produces aristocracy, or the government of the city, limiting the abuse of power. Then comes democracy, founded on the idea of natural equality. And lastly, despotism, or imperial rule, establishes itself on the ruins of democracy, and puts an end to the anarchy

and public corruption to which popular governments give rise. Or, if that remedy fails, the degenerate nation, given over to anarchy and corruption, becomes the prey of the spoiler, and succumbs to a foreign yoke. 4. When a nation or when society has passed through these stages, and, unreclaimed by the revolutions it has experienced, still continues to decline and degenerate, it passes at last into a second barbarism. Faith expires, religion languishes, men grow brutal, cities decay, society becomes effete and lies supine until regenerated by some providential impulse from without. Then the cycle of history begins anew, and humanity repeats with new auspices its appointed course. 5. From the facts thus observed, from the indications of law and a regular succession in human events, Vico derives the idea of a great city of nations, whose founder and governor is God, a republic of the universe, the miracle of whose constitution is that through all its revolutions it finds in the very corruptions of each preceding state the elements of a new and better birth.

Since the publication of the "Scienza Nuova," the philosophy of history has found no end of expositors. Of the numerous works in this department, the most influential have been Montesquieu's "Esprit des Loix," Ferguson's "Civil Society," Lessing's little treatise, "The Education of the Human Race," Herder's "Ideen zur Philosophie der Geschichte der Menschheit," Kant's "Zur Philosophie der Geschichte," Fichte's "Grundzüge des gegenwärtigen Zeitalters," the chapters relating to the progress of human society in Comte's "Cours de Philosophie Positive," and Hegel's "Philosophie der Geschichte." We are speaking of the philosophy of history in the narrowest sense, not of historic criticism or historic art; else would a host of names of equal and even graver note demand to be noticed in this connection.

It is now understood that history has its laws, as well as astronomy; that the course of events is a necessary, not a fortuitous succession, and the march of humanity through the nations and through the ages a series of progressive developments. The supposition is fundamental to the study of history as a science. If the course of events and the destiny of nations were governed by no law and subject to no method, there

could be no science of history, but only chronicles, registries of facts unreferred to any principle or ruling idea, incapable of classification. The study of history in that case would be useless, because it would lead to nothing. The end of all study is the discovery of law, that is, of spirit, that is, of Deity in the facts studied. If in any class of facts no law were discoverable, the knowledge of those facts would be hardly worth the labor spent in acquiring it. We read history to little purpose, if we read it only as a record of facts, and see in it no demonstration of Divine method. The facts themselves are not truly apprehended, unless we see them in the light of some principle or law which they illustrate. Take the battle of Actium, in Roman history. I read that the forces of Octavius met those of Antonius in the Ambracian Gulf, and obtained a signal victory over them. What signifies that fact to me? What do I know of Roman history, if all I gather from it is that Octavius was the better general or the luckier man of the two? The real fact has escaped me, if I fail to perceive its historic import. It was not valor nor luck, but historic necessity that triumphed in that encounter. It was necessary that democracy should replace an aristocratic oligarchy, like that of republican Rome. It was necessary that democratic anarchy should be replaced by an imperial head. Octavius represents, in that conflict, the Latin or popular element in Roman history. Antonius represents the Sabine or patrician. The internal history of the Roman Republic, and especially that of the previous century, had been a conflict of these two elements, the former seeking to disengage itself from the latter. The battle of Actium was the consummation of that struggle. With the triumph of Octavius, *qui cuncta discordiis civilibus fessa nomine principis sub imperium accepit*,* democracy came to a head, Latin civility came to maturity, and in its turn became the matrix of its successor in empire, the Christian Church.

An objection may be raised against the doctrine of historic necessity, on the score of human free will. The conduct of history lies in the hands of human free agents. A glance at the course of events shows us that those revolutions which

* Tacitus.

have furnished the materials and given the direction to history have been the work of individuals following the impulse of their own wills. How, then, can we affirm them to be the operation of a law, or how can history conducted by free will be a necessary process? If one looks at the matter *a priori*, it seems *a priori* improbable that the destinies of humanity should be committed to individual caprice, or that able and designing men should shape the world according to their whim. But what is the fact? Free agency acts under given conditions, and those conditions are contained in the natural order of things. There is no more escape from that order in the moral world than in the physical. All the motions on the earth's surface, however arbitrary and contrary one to another, obey the parent motion of the earth, and are swept along in the spheral march. So all possible movements of the human will are comprehended in the providential sweep of the parent will which works in each. The contradiction between freedom and necessity, so perplexing in the sphere of private life, disappears in the large dynamic of history. There, freedom and necessity are seen to be different factors of one movement,— freedom the human, necessity the divine. The highest freedom is the strongest necessity, as in chemistry those affinities which are termed elective are precisely the most determined. Says Kant: "Whatever notion, in a metaphysical point of view, we may form to ourselves of the freedom of the will, its manifestation, i. e. human actions, like every other natural event, is determined by general laws of nature." *

To the eye of sense, "the river windeth at its own sweet will," but reflection knows that the valley through which it winds has been scooped by the action of unchangeable laws; and in human life all freedom that succeeds is free occupation of appointed paths. The course of destiny is the providential channel in which human freedom elects to run. Accordingly, the great men of history, the history-makers, are the "providential men"; they are those, in the language of Hegel, † "whose private purposes contain the substance of that which is willed by the spirit of the world." They may not be aware

* Zur Philosophie der Geschichte; Idee zu einer Allgemeinen Geschichte in Weltbürgerlichen Absicht.

† Philosophie der Geschichte.

of their providential function; they may not contemplate all the results they are used to effect; the ulterior consequences of their free action may not have come within the scope of their design. The consequences follow none the less. Leo the Isaurian issues an edict prohibiting the use of images and pictures in the churches; Pope Gregory repudiates the edict, and resists its execution in the West. What follows? While Emperor and Pontiff quarrel among themselves, the empire splits between them, a goodly fraction comes off in Gregory's hands. Following the bent of his own will in his own ecclesiastical affairs, that prelate becomes the providential means of sundering East and West, never to be united again. Rolf, from the coast of Norway, bent on plunder, lands his pirates on the soil of France, and extorts from Charles the Simple a slice of his kingdom. Rolf has no prevision of a Norman landing on the coast of Sussex, and an Anglo-Norman kingdom, and an English House of Lords, all which the future drew from that raid of his, whose providential import was to give to the finest of the Gothic races a worthy field for their development.

Sometimes, however, the providential men, like Julius Cæsar, Mohammed, Cromwell, have shown themselves conscious of that Divinity which shapes our ends and subsidizes our free will in accomplishing its designs. It was no affectation or puerile vanity which prompted the first Napoleon to call himself the "Child of Destiny," but an irresistible conviction of a power behind him whose minister he was in spite of himself.

Assuming, then, as a settled truth, that the course of history is governed by natural laws, the question arises, How far are those laws discoverable and demonstrable by scientific investigation? This is a question which only the future of scientific investigation can answer. The application of logic to history is yet too recent, history itself is too recent, to furnish a complete solution. All that we can thus far assert, with any degree of confidence, is, that enough of law is discoverable to constitute history a science, or that a science of history is possible.

The subject of this science is Man. To distinguish it from anthropology let us say, Man in Society. To distinguish it from ethnology let us say, Man the subject of progressive

development. We have then three distinct topics: Man, Society or the State, and Social Progress.

1. Man. To the catholic eye of history he is one. The science presupposes what all its discoveries tend to demonstrate, — the unity of the human race. We need not trouble ourselves with the question whether all men actually originated from one pair, or whether different portions of the globe have given birth to independent varieties of the animal man. Enough that man, as the subject of history, is one. The historic nations have descended from one original. If any of the races that inhabit the earth have a different origin, those races are not historic; they have no part in human destiny, and will finally disappear from the earth, or be absorbed by historic man. Man, as the subject of history, is one. The nations that compose him have one geographical, probably one genealogical origin.

Historic man was born, according to tradition, in Western Asia, precisely where speculative ethnology would place his origin. If we glance at a map of the world on Mercator's projection, we shall find that the portion of the earth's surface which lies between the thirtieth and fortieth degrees of north latitude, and between the fortieth and sixtieth of east longitude, is about the centre of the habitable globe. Here it is, or hereabouts, that tradition first discovers man, on the banks of the Tigris and the Euphrates. From this natal centre we find him radiating eastward and southeastward to the borders of the Pacific and the Indian Ocean, westward and northwestward to the Mediterranean and the Atlantic. In later ages his course has been prevailingly westward, across the Atlantic into South and North America. And now, having crossed the American continent, and reached the uttermost verge of the west, on the borders of that Pacific which long since bounded his eastern migration, he has "come full circle" around the globe.

The where being settled, the next question is, How did man begin his race? Civilized or savage, in rude ignorance or furnished with science and art? This has long been a point in debate between ethnologers and theologians. The latter have taught that man's first estate was superior, not only in moral purity, but also in intellectual illumination, to every subsequent

age. Philosophy, on the contrary, maintains that the original state was a savage state, such as we find it to this day in South Africa and New Zealand, and that ages went by before the race attained to the knowledge and arts of civilized life. Happily, our subject is not burdened with the responsibility of this question. We have nothing to do with man prior to the period when history finds him, that is, the earliest period marked by contemporary or nearly contemporary records. The existence of records implies civilization. The word "history," it will be observed, has a twofold sense. We use it to denote the course of events, and we use it to denote the record of those events. This double meaning, says Hegel, is not accidental. It shows that actual history and written history are nearly related, and cannot exist independently the one of the other. History does not begin to be until it is written. A people has no history until it is sufficiently mature to record its life, until it arrives at that degree of self-consciousness which makes the recording of it inevitable. The intellectual life of the individual does not begin with the animal birth; it begins with the birth of consciousness. It dates from the period of reflection, from the time when the individual begins to act knowingly, accounting to himself for his action. History is the record of the intellectual life of society; it begins with the self-consciousness of society. It dates from the time when man associates in civil bonds under fixed and accepted laws; from the time when society becomes organized, with settled functions and mutual responsibilities. Whatever, then, may have been man's primal state, when history first finds him he is civilized, skilled in arts, governed by laws, living in cities, worshipping in temples. Of the times antecedent to that state, with their confused struggles, history knows nothing. The exploration of those unrecorded ages belongs to another province than that of the historian; it belongs to the province of archæology or fore-history. History is coeval with civility, that is, with the formation of states.

2. Accordingly, our next topic is the State. It is not with man absolute or man as such, but with man conditioned by social organizations, that the science of history is concerned. These organizations — monarchical, republican, democratic, or

despotic — are the stated conditions of man's development, the ordained method by which he accomplishes his moral destiny, by which, especially, he satisfies two pressing demands of his nature, — liberty and right. Liberty and right are both the product of civil organization, i. e. of the state.

Of liberty the contrary opinion prevails. It is thought that liberty belongs to man in his "natural state," as it is called, that is, in a savage state, and is lost or impaired by civilization; that liberty is older than civil society; that, being originally unlimited, when states were formed it was surrendered for the sake of the state. It has been affirmed, as a self-evident proposition, that man is "born free." That means, man is born with a natural capacity for freedom, and, co-ordinate with the development of that capacity, has a natural right to freedom. It can mean nothing more. Rousseau, unconscious of self-contradiction, declares that man "is born free, but is everywhere found in bonds." He should have said: man was made to be free, but has nowhere realized that destination. But Rousseau meant something more. He meant that man originally possessed a freedom which he has lost by civilization. He and others have imagined a condition of humanity, a so-called "state of nature," in which man was freer, and, in many respects, more fortunate than we find him in civil society. Since none of these theorists have informed us where in the present this state is to be found, nor furnished any proofs of its existence in time past, we are warranted in treating the notion as a fancy or a fiction. The term "natural," applied to any primitive condition of man, imaginary or real, to distinguish it from subsequent conditions, is a foolish limitation of nature, equivalent to saying that the root of a plant is natural and the blossom not natural. Civilization is the product of human nature; it contains nothing that human nature does not contain, and cannot, therefore, in any rational sense, be considered as less a state of nature than that of the Camanches or New-Zealanders. "If we are asked," says Ferguson, "where the state of nature is to be found, we may answer, it is here. And it matters not whether we are understood to speak in the island of Great Britain, or at the Cape of Good Hope, or the Straits of Magellan." "If we admit that man is susceptible

of improvement, and has in himself a principle of progression and a desire of perfection, it is improper to say that he has quitted the state of nature when he has begun to proceed, or that he finds a station for which he was not intended, while, like other animals, he only follows the disposition and employs the powers that nature has given." "If nature is opposed to art, in what situation of the human race are the footsteps of art unknown?" *

The notion that primitive man is freer than civilized man is an error which springs from not distinguishing between liberty and caprice. We may dream of a state which combines what is best in civilization with all that is charming in aboriginal nature, but reality knows nothing of the kind. Reality knows only the civilized man and the savage, and the question is, Which is the freer of the two? Superficial observation may decide in favor of the savage, but closer inspection will change that decision. The savage is less bound by conventions, but is bound in other ways. He is more the slave of his passions, more dependent on occasion, more fettered by necessity, less master of himself and the world, and, therefore, less free than the civilized. With less of law, he experiences greater limitation. The nearer we come to savage life, the more we find in it of tyranny and violence, of the bondage of passion and caprice. The nearer we come to it, the more we find the condition of the savage to be one of thraldom and restraint; the more we find him bounded and bound. Ferguson, with one word, refutes Rousseau's fancy of savage liberty, when he says: "No person is free where any person is suffered to do wrong with impunity"; and Hegel, who defines liberty to be "the spirit's realization of its own nature," insists that, so far from being an accident of primitive man, it is something which must be wrought out, achieved, by a perpetual "mediation between knowledge and will." Right and morality are its indispensable constituents. It is true, society as such imposes restraints, but the necessary restraints imposed by society are merely limitations of individual caprice which hampers liberty. They promote that emancipation of the will in which true freedom consists.†

* Essay on the History of Civil Society.

† See Hegel's Philosophie der Geschichte.

The notion of an antecedent natural liberty surrendered to society, and of social contracts requiring such surrender, is a pure fiction. Liberty is not an original but an acquired possession, not an accident but a product, — the product of reflection, of legislation, of scientific adjustment, — in a word, the product of the state.

Likewise, the state is the parent and condition of morality. Morality as sentiment, disposition, faculty, is innate. Morality as fact is the product of law. Its earliest form, respect for others' rights, originates with the institution of property. But property in its first beginnings provokes the worst passions of the human breast, occasions strife and shedding of blood. It has therefore been deemed unfriendly to morality, one of the evils which civilization has inflicted on mankind. "The first man," says Rousseau, "who, having enclosed a piece of ground, took it into his head to say, 'This is mine,' and found people foolish enough to believe him, was the true founder of civil society. How many crimes, wars, murders, miseries, and horrors might have been spared to the human race, if some one at that juncture had pulled up the stakes or filled up the trenches, and had called to his fellow-men, 'Beware how you listen to this impostor; you are lost if you forget that the fruits of the ground belong to all, and that the earth is no man's property.'" *

But if property has been the occasion of strife and deeds of violence, it has also served to develop the idea of *right* in which all morality is founded; and though some of the virtues, such as courage, fortitude, and patience, might certainly exist without it, most of the duties, and most of the topics and occasions of moral discipline which society now furnishes, would be wanting. Most of the duties of social life, as now constituted, are directly or indirectly connected with property. Rousseau himself confesses that the first rules of justice are derived thence. "For in order to render to each one his own," he remarks, "it is necessary that each should own something."

Property begins with agriculture. To till the land it was necessary to enclose it. From tillage for the use of the tribe of land belonging to the tribe, such as we still find at certain

* Rousseau, Sur l'origine de l'inegalité parmi les Hommes.

stages of savage life, the transition was easy and natural to tillage for private use, the fruits and the land being both the property of the tiller.

The relation of agriculture to civil law and the moral well-being of society was represented by the Greeks in the fable of Demeter, the mythical goddess of agriculture, who was called Θεσμοφόρος, a law-bringer. An ancient cameo represents her as accompanying Triptolemus, the planter, in his tour around the earth. She exhibits a scroll containing a code of laws, while Triptolemus scatters wheat-seed. Hebrew tradition has embodied the same idea in the story of Cain, the first tiller of the ground, who is also the first city-builder and civilizer.

And not only by the institution of property which it authorizes and protects, and around which cluster so many motives and obligations to virtue, but also by establishing stricter relations between man and man, by civil jurisprudence making the moral sense of the wisest the rule for all, and more especially by maintaining the sanctity of wedded life, — parent and nurse of domestic virtues, — the state develops the moral life of society. If, then, and so far as, man has a moral calling to fulfil in this world, he belongs to the state and the state to him. States are at once the theme and the organ of history.

3. Our next and last topic is Social Progress. Man is the subject of progressive development. The world's history is not an aimless succession of events, a heap of facts fanned together by the flight of time, as the wind piles sand-drifts in the desert, but a process and a growth. The ages are genetically as well as chronologically related. The succession of events is rational; they follow each other by a necessary order in such wise that one is the exponent of another, and all are moments of one process. We say, then, that as civil society is the topic, so progress is the method of history. In saying this we pronounce no judgment on the question of man's perfectibility and final perfection. We assert nothing as to the ultimate destiny of the race, whether the consummation of history is to be the perfection of society, according to the visions of the millennarians, or whether it is to be the utter dissolution of society by the action of some remediless evil. These are ques-

tions as to which history may aid us in forming an opinion, but which history thus far is incompetent to decide. But surveying the past and present of society, we see such evidence of progress hitherto as warrants us in assuming — since some aim and purpose must be assumed to make history intelligible — that progress is that aim and purpose. We postulate progress as the key to history, as the mathematician uses an hypothetical number in determining an unknown quantity.

Progress in what and whitherward? Progress in liberty, answers Hegel, — progress first in the idea and then in the thing. This progress, according to him, has three stages, dividing the world's history into three epochs, — the period of the Oriental nations, when only one was allowed to be free; the period of Greek and Roman civilization, when freedom was accorded to many; and lastly, the period of the Germanic nations, when freedom is seen to be the rightful property of all. Instead of liberty, let us say progress in social organization; a more comprehensive interest, of which liberty is one element among many. Progress in social union and toward a state in which that union shall be complete, in which nationalities shall no longer divide mankind, when the human family shall consciously unite in one organic whole, a state combining the greatest freedom of the individual with the greatest compactness of social union, and securing to all the members of the common weal the greatest possible advantage in their connection with each other. This destination is at present strictly hypothetical. The immeasurable future alone can verify it. It is rendered probable, however, by the course of events thus far, of which it furnishes the most satisfactory solution. According to this view, every epoch of human history is a new stage of social development; every state a fresh experiment in social organization; and every historic revolution, exposing the inadequacy of each former state, inaugurates a new.

The condition of all development is antagonism. Nothing grows without resistance, without opposition of contrary elements. Society is no exception to the universal law. There, too, is a perpetual conflict of opposing forces, bursting often into open war.

War is a normal crisis in human affairs, and must, there-

fore, occupy a large share in the world's annals. Judged from the point of view of Christian ethics, it presents solely the aspect of a moral evil, and incurs unreserved condemnation. So far as war is the product of individual volition and design, so far as it originates in or enkindles conscious malevolent passion, it bears this character so distinctly and so appallingly, that the moral view becomes paramount and excludes every other. But war is not always, seldom indeed, on both sides, the product of malevolent passions; and the moral aspect of war is not the only one to be considered. It has its objective, providential side, which demands the attention of the philosophic historian. The same divine Teacher, who inculcated peace in his precepts, acknowledges the historic necessity of war, when he says, "I am not come to send peace on earth, but a sword." Wars differ widely in their moral character, according to the purposes of those who engage in them. There are wicked wars of vengeance and ambition, and there are also righteous wars of self-defence. There are idle wars of passion and caprice, and there are necessary wars of antagonist races, and conflicting ideas, principles, religions. The Persian war to the Greeks was a holy war, — a war of liberty, which decided the destiny of Hellenic civilization. On the other hand, the Peloponnesian war was an idle war of rivalry, which decided nothing, but proved finally ruinous to all the states engaged in it, and prepared the way for the downfall of Greece. The Thirty Years' War, in the seventeenth century, was a necessary war of principles, which decided for the most intellectual portion of Europe the momentous question of the right of private judgment. But the Seven Years' War of the eighteenth century was a foolish war of princely ambition and princely spleen, which cost Europe over a million of lives, and secured to Austria, the aggressor in that conflict, none of the prizes for which she had contended.

Besides this antagonism of contrary elements, the progress of society is further conditioned by a principle of alternation within itself which causes it to swing between opposite attractions, or to gyrate around them as around the foci of an ellipse, and which makes the development of humanity a series of revolutions, instead of a uniform movement in one direction. Hu-

manity gains something with each revolution. Each lands society on a higher plane, and so the course of history becomes a *spiral* movement, at once revolutionary and progressive. There is a periodicity in the alternations of society, a regular recurrence of the same phases, which indicates a law whose action is calculable.

An instance of this periodicity is the regular recurrence of periods of migration, which succeed each other at stated intervals in the world's history, in conformity with a law of development inherent in society. There never was an age when migration entirely ceased, but we may distinguish certain epochs in which it has proceeded with special activity. And these epochs we shall find to be the natural product of the social developments which preceded them. The dispersion of the builders of Babel, in Biblical history, indicates the commencement of one of these periods of migration, which seems to have been a necessary reaction on a period of immature concentration, when, in Biblical phrase, "the whole earth was of one speech and one language," and when a city intended to be a centre of consolidation for the human race was projected on the plain of Shinar. This migration may be supposed to have covered a period of five hundred years. The next occurs after an interval of five centuries, about two thousand years before the Christian era, and continues, with intermissions and fluctuations, and different degrees of activity, for a thousand years. This great evolution, or series of evolutions, which colonized Asia Minor, Phœnicia, Palestine, Greece, Italy, and the Grecian Archipelago, appears to have been a reaction against the excessive spiritualism of the old Asiatic politics. It was followed by a thousand years in which the concentrative tendency again predominates, and migration, with occasional exceptions, ceases. Then, again, the excess of sensualism in Greek and Roman civilization encountered a reaction in Christianity, and Christianity required new races and new regions in and through which to develop its ideas. And now begins a new exodus from the North, by which Europe is flooded with the German and Scandinavian races, and which, with brief interruptions, occupies another term of nearly a thousand years. The next five centuries are consumed in consolidating the European

monarchies, sometimes in antagonism, sometimes in harmony, but always within the bands of the Church of Rome. Then Church and State become oppressive; the human mind, new-quickened by the recently invented art of printing, reacts on ecclesiastical tradition, reacts on civil oppression, reacts on feudal privilege; a new-found continent invites adventure, and simultaneously with the Protestant Reformation inaugurates the last of the migratory epochs now in progress.

In accordance with this outline, instead of the usual division of history into ancient, mediæval, and modern, a more philosophic arrangement will distinguish four great periods, the Asiatic, including the early African, the Greco-Roman, the Germanic, and the American. Of these the first and the third may be subdivided into an earlier and later Asiatic and Germanic.

Another example of periodicity in history is the alternation of the positive and negative forces of the mind, imagination and reflection. The old Asiatic civilization discovers in every province of social life, and in all the action of the human mind, the predominance of imagination. Life is overshadowed by huge superstitions; all is prodigious, titanic, — colossal temples, colossal idols, in which the monstrous predominates over the beautiful and humane. Everywhere mountainous theocracies piled upon poor humanity, absorbing and crystallizing its best juices. The institutions of society rise frowning and pitiless like stranded icebergs, while society itself, a scarcely perceptible stream, creeps lazily out from beneath. In secular or Japhetic history, the Persian war with the Greeks marks the boundary line of this era. When Themistocles, by tampering with the priests at Delphi, could bend the oracle in accordance with his plans, the despotism of faith and fate had ceased for Greece. The secular element thenceforth asserts itself in civil life. Reflection encounters Imagination in the Gulf of Salamis, and puts a limit to his sway. There is no excess as yet of the former faculty, but a happy equilibrium between the two. Then appeared that miracle of Greek and Roman culture which history is never weary of portraying. Then the world's genius awoke and lifted up the hands which had hung down and opened the long silent lips. Then was the blossom

time of art and song and philosophy and science; the age of the Parthenon, of the Apollo-Belvedere, of Sophocles and Plato, followed, before its light had utterly gone out, by the age of Cicero and the first Cæsar, and the great Augustan age of Latin civility and letters.

But now the negative power acquires a disproportionate ascendency, imagination grows torpid, art and religion decline, materialism becomes rampant, all truth and reverence depart out of life. The poets of Alexandria employ themselves with shaping verses into eggs and axes. Lucian of Samosata has turned the Pantheon into a cenotaph. Plutarch inquires "why the oracles cease to give answers," and a voice from the island of Paxos proclaims, "Great Pan is dead."

> "Apollo from his shrine
> Can no more divine,
> With hollow shriek the steep of Delphos leaving,
> No nightly trance or breathed spell
> Inspires the pale-eyed priest from the prophetic cell."

The fire is gone out on the altar, the marble sleeps in the quarry. Come! Longobards and Franks, from the depths of the Odenwald and the Black Forest, — come, pour your fresh life into withered humanity, revive the perished world or bury it!

The age of reflection ends, and a new era of despotic imagination begins; another long cycle wherein the huge and grotesque prevails over the beautiful and just. Again the portentous misgrowths of time. Farewell to letters and science and beautiful works of art.

> "Now entertain conjecture of a time
> When creeping murmur and the poring dark
> Fills the wide vessel of the universe."

The world's stage is cleared for a new act of the great drama. The actors are harnessed warriors with closed visors and scarlet priests. The old decorations, the storied friezes and Corinthian capitals, are replaced by the feudal castle, that, perched on a cliff at the angle of the river, seems a continuation of the rock itself, wrought by some freak of nature into pinnacles and parapets. In the valley below the symbol of penal torture is displayed in the cruciform church. The age of the Argonauts

reappears in the Crusades. Europe hurls herself upon Asia. The East and the West contend for the prize of the Holy Land.

Such was life in those centuries, wild, monstrous, extreme in devotion and in arms.

> "Der Mönch und die Nonne zergeisselten sich
> Der eiserne Ritter turnierte."

Again there was a day when the empire of imagination received a check, and impassable limits were set to its sway. And this time the change was effected by the pen instead of the sword. And the agent was a German Professor of Philosophy. The birthday of the new era was the 31st October, 1517, when Martin Luther nailed to the church at Wittenberg his ninety-five propositions which reinstated reason and conscience in their long-suppressed rights, opened an irreparable breach between the Roman and the Saxon mind, and initiated the second age of reflection, which has not yet expired, and which comprises the great names of modern literature and science, from Galileo to Humboldt, from Shakespeare to Goethe.

Such is the method of history. Progress by alternation, by conflict, by revolution, — always progress. These are the steps by which Humanity moves in its foreordained path, advancing, not simultaneously in all its faculties and members, but in one or another part forever advancing. To what result and final consummation of its course it is not in the Muse of History to predict, until perhaps some thousands of years have been added to her age,

> "And old Experience do attain
> To something of prophetic strain."

FREDERIC H. HEDGE.

Art. IV. — Congressional Reform.

The adoption of the Fifteenth Amendment seems to have brought to a fitting close the struggle which has absorbed our national politics for more than a quarter of a century, and the relations of the black and white races must now apparently be left to be adjusted by time. Other problems are pressing for solution, the neglect of which threatens disasters hardly less serious than those which we have so lately encountered. In the first fifty years following the establishment of the Union the functions of the general government were extremely limited. The conduct of our foreign affairs and of the moderate army and navy, the small civil service required for the post-offices and the collection of the customs, which more than sufficed for the national expenses, — all these went on without much interference or connection with the mass of internal affairs in the hands of the States. As the generation of great men born of the Revolution passed away, the intellectual, if not moral, character, of the occupants of our chief national offices steadily declined. The encroachments of the slave power and the antislavery agitation overshadowed all other political interests, and upon this contest were charged all the increasingly manifest defects of our Federal organization. The conservative party accused the abolitionists of absorbing the time and attention of Congress with their wrangling, while the latter refused to see any public duty comparable in importance with opposition to the enemy which, not only in their view, but in that of foreign nations, threatened the speedy overthrow of the Republic. It will hardly be denied that most, if not all, of our prominent political leaders owe their positions to the tenacity with which for many years they maintained a stubborn resistance to the slave power. We use the term "leaders" with reference to Congress, because, as we shall presently attempt to show, the members of the executive are not leaders in the sense of directing legislation. Good and faithful service these men have done, and the country owes and acknowledges a debt of gratitude. But while the main issue upon which they fought has been decided in their favor, and while they are still occupied with theories and experiments of

reconstruction, — a subject which, if not wholly to be left to time, is at all events of minor importance, — we think there is through the country an increasing and painful sense of their inability to deal with other questions which now occupy the first rank. The civil service, which has been so vastly increased, and the condition of which excites such despairing comment; the diplomatic service, perhaps not too severely characterized as the worst known to any civilized nation; the management of the finances, including the public debt, the customs, considered both as a means of revenue and of protection, and the currency and banking systems, which have assumed such formidable proportions; and, finally, the manner in which private interests have assumed the control of the government; — these all are matters of which the vital importance will not be disputed. Yet if we look at the manner of conducting business in Congress, the time consumed in personal contests among members, the heterogeneous bills and resolutions introduced at random by any member, and quietly referred to committees; if we consider that the real measures to be acted upon are discussed and prepared in secret committees subject to the tremendous pressure of private interests, which govern not only the manner of treatment, but the subjects themselves to be treated; and, further, that the measures thus elaborated are reported to Congress without any official explanation of the theory and arguments upon which they are based, or of their relation to the general plan of legislation; that debate is suppressed or amounts only to a mere form; and that, after lying in abeyance during most of the session, these bills are hurried through at last by a general party vote, and because something must be done; — under these circumstances, what hope or prospect is there of any intelligent, comprehensive, and systematic treatment of the great problems which we have just now mentioned?

The fundamental defect of organization seems to be in the separation and diffusion of power and responsibility. The details of administration of course should rest with the heads of the executive departments. The practical operation of legislative measures must be conducted by them; and as the efficiency or the reverse of the subordinate agencies must be better known to them and better judged of by them than any

one else, the individual changes and appointments and the method of conducting business should be, in a great measure, under their guidance. Under our system these heads of departments have little or no power. In the expression of their wishes, they are limited to their annual reports, which Congress can attend to or not as it pleases, and to private interviews with the committees. Should these committees fail to adopt their views, or should they even report bills adverse to them, the officials have no remedy whatever, but must accept and carry out whatever measures Congress sees fit to adopt. They may, it is true, complain in their next report; but as this not very dignified proceeding does not compel Congress to defend its course, the country presumes that the right is on the side of the collective wisdom. Having thus but little power, heads of departments cannot be held to any strict responsibility. Whatever the failures of a secretary's administration, except in cases so flagrant as to justify extreme measures, Congress has no power of calling him to account; nor can it obtain from him any explanations or information, unless by messages in response to cumbrous resolutions, which messages probably reach Congress only after it has passed on to, and is absorbed by, other business.

Turning next to Congress, we find that the initiative of legislation, which should properly belong to the chief official of the branch of the public service to be affected, actually belongs to nobody in particular. Any member may introduce a bill or resolution upon any subject in which he feels an interest. A dozen of these may be presented upon the same subject, which differ entirely from one another. The member who presents a bill usually feels called upon to accompany it with a speech. This takes up the time of the body, but, except as stating his views to his constituents, has no practical effect, because the real measure to be acted upon is to come from a committee. All these promiscuous bills and resolutions are referred to committees, and as the real work is done in them, Congress is at liberty to divide its time between "bunkum" speeches and personal contests, which together make up the bulk of its proceedings.*

* "To keep a legislature efficient, it must have a sufficient supply of substantial business. If you employ the best set of men to do nearly nothing, they will quarrel with each other about that nothing." — *The English Constitution*, by W. Bagehot. London, 1869.

The preparation of legislative measures in committees is perhaps indispensable, but the manner of conducting this preparation, and the extent to which it is carried, seem to be open to the gravest objection. All the new material, including reports of secretaries and the propositions of individual members, are thrown into this retort. Each subject of legislation is handed over to a few men, who give it their special attention. Private interests, which would be almost powerless if they had to deal with the whole body of members acting openly before the country, find their labors greatly simplified, and as the work of committees is done in secret, the efforts of the lobby are effectually screened from the public eye. The committees are composed wholly of members of Congress, each amenable to a small section of constituents, and naturally attending more to the interests of these than to those of the whole country. It is natural, also, that the committees should be led to report measures likely to meet the approbation of the Houses as actually composed, rather than such as being in themselves just and expedient, may yet be unpopular with members, and require the aid of public opinion to force their adoption. Could there be an arrangement more suited to induce corruption, direct or indirect? When these measures, thus adjusted upon a balance of special interests, rather than upon general principles of equity, are reported to the houses, it is again quite natural that debate should be suppressed. Public discussion is not the ordeal with reference to which the bills have been framed, and even if there is opposition, it is from individuals, and is neutralized by the shades of difference between them. There is no leader to gather up the dissentients and oppose their united force to an obnoxious bill. Members who have no direct interest resign themselves to voting with their party, being shielded from responsibility through the enforced ignorance of their constituents. It often happens, — indeed it is almost always the case with the most important measures, — that bills are held over to the end of the session from the known uncertainty of commanding support, and then rushed through because opposition is hopeless. When legislation of this kind, without any general plan or defined purpose, is handed over to a secretary, who has hitherto had no official

share in it, to be carried out as he best may, how is it possible that the best talents of the country can be secured in the departments? It will of course be said that it is the office of the public press to keep the people informed concerning measures, and to guide them in the elections. But not to mention that the press is quite as often interested to mislead as to enlighten, it is out of the question that any considerable proportion of the people should read or digest the differing views of hundreds of journals. Congress is the real centre at which the people should learn the reasons of legislation, and get the means of judging of the conduct, principles, and abilities of their representatives. Under the present system no such facilities are afforded them. The questions of slavery and the war were perfectly simple. The people comprehended these, and the manner in which they performed their duty, and the sacrifices which they cheerfully made for the right, give us every reason to be hopeful, wherever the popular will and intelligence can be brought to bear. But the questions which are now pressing upon us are technical, and call for the exercise of statesmanship. It is of no use to call upon public opinion, because the people do not understand the subjects, and require to be led.

The general principle which we would indicate as the starting-point of reform is this, that the Executive, which represents the whole people, as distinct from members of Congress, who represent their several bodies of constituents, should have a direct voice in the shaping of legislation, and should to the same extent be held responsible for its results. To illustrate the idea, we will take the office of the Secretary of the Treasury. Suppose that instead of sending in an annual written report, he were to state his views orally before the House, and that one or more days were afterwards set apart for the discussion of the views presented. He should be open to cross-examination by any member, and thus the general nature and principles of the legislation proposed might be sifted and discussed in the presence of the country. Thenceforward, at stated intervals during the session, he should be present in the House in order to explain, either of his own motion, or in answer to inquiry, the working of the machinery of his department, and of acts previously passed, and to suggest such improvements, and

ask for such further powers as he might deem necessary. The Secretary should further have the right of attendance at the meeting, not only of the Committee of Ways and Means, but of all other committees upon business connected with his department. With such a position and such responsibility, not only would he have no sympathy with the private interests at work upon the committees, but his interest being identified with the success of his administration, he would be directly opposed to them. If the bills thus prepared and reported to the House were in accordance with the views of the Secretary, it would be for his interest that they should be thoroughly discussed and explained, not only to members, but to the country at large. He would, therefore, desire that certain days, separated by an interval of a week or more, should be set apart for the first, second, and third readings of bills, in order that members might not only inform themselves, but gather the sense of their constituents. If, on the other hand, the bills were adverse to the plans of the Secretary, it would be for him to point out the defects, to propose amendments, or to urge the recommitment of the subject. Supposing his opposition to represent the interest of the country as against private combination, he would serve as a rallying-point for the independent members, who have now no means of uniting their forces. It is evident that such a position would call for ability of the first class. The shield which is now held before mediocrity by isolation, and by the fact that the Secretary is a mere instrument for carrying out the plans of others, — plans in forming which he has had but little influence, and for which he cannot, therefore, be held responsible, — would be removed. A man who had not a clear and definite policy, and the ability to defend it, would be overwhelmed by the attacks and criticisms to which he would be exposed. On the other hand, the opportunity for ability to make itself felt would furnish an attraction for the highest class of intellect. The demands made upon the opposition, also, would tend to bring the foremost men to the front, and would direct the choice of the President in the formation of new Cabinets, in place of his being left, as now, to select members almost at random. Candidates for the Presidency would also be presented upon their own merits, instead of upon

the "availability" which nominating conventions usually find in utter obscurity.* Congressional proceedings, instead of being regarded as now almost with contempt, as having no practical result, would be read with interest, as a key to the spirit of legislation. A new basis would also be given for the method of congressional elections, and relief might be furnished from the present system of nominations in caucus. A fundamental difference between Congress and the Secretary might involve the resignation of the latter, and it may be urged that this would be inconsistent with our form of government by fixed terms, — an objection to which we shall recur presently.

Meantime we propose to consider some instances of the working of our present system, and the manner in which the remedy suggested may be expected to operate. To begin with the diplomatic service. In an article which appeared in this Review,† Mr. Henry Brooks Adams gave the history of an attempt commenced by Mr. Everett in 1853 to establish a system of consular pupils. The effort was often repeated through a period of ten years by Mr. Marcy, Mr. Cass, and Mr. Seward, the process and the result being constantly the same. The Secretary, by great efforts with the Senate committee, would induce

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* The London Economist of June 4, after praising the conduct of General Grant during the Fenian invasion of Canada, remarks: —

"But enough has happened since his election to show that he is by no means equal to exerting influence at all, good or bad, on a great many of the most important political questions of the day, — finance, for instance, among the first; and it is quite certain that if America had had equal means of knowing the firmness and constancy and good sense of any generally informed politician, the choice of such a man as President would have been already full of benefit to the country, which General Grant, from the extreme limitation of his political knowledge and interest, has not been able to confer. A statesman as well known to the people as General Grant — as well known to Americans, say, as Mr. Gladstone is to us — would have had quite equal confidence in himself and in his countrymen, and would, besides, have felt that confidence on a hundred other subjects on which the expression of an authoritative judgment would at once turn the scale of public opinion. What American institutions seem to us to want most, is the means of familiarizing the country with such statesmen. And this we do not see how the Republic can ever have, till it gives to Congress the paramount importance attaching to a body which elects and can remove the administration." The form of this conclusion is not what we should adhere to, but we agree to its substance, namely, that statesmen should be found and made known to the public by open debate in Congress.

† October, 1869.

it to bring in a bill for the purpose; but there would be nobody to support or defend it, and it would fall under the shallow rhetoric of individuals who feared it might conflict with the congressional power of appointment. Finally, under Mr. Seward, a bill was forced through both houses. The system worked well, consular pupils were appointed, some of great promise were trained, and three of them appointed to office; within a short period, however, two out of the three were sacrificed to the political jobbery of rotation in office. Probably not one person in ten thousand in this country knows anything of this history. But if the Secretary of State had held a place in the Senate with or without a vote, and had been thus in a position to defend his plans, the country would have known the merits of the case, and would, or at least might, have secured a different result.

We will quote two other cases before quitting foreign affairs. The result of the treaty with Denmark, as to the island of St. Thomas, is most mortifying to our national pride. The Danes were at first very reluctant to treat. By persistent efforts, however, Mr. Seward induced them to entertain proposals. The price was arranged, a vote of the inhabitants of the island taken, and the affair was supposed to be concluded, when lo! the Senate refused to confirm the treaty, and the Danes were informed, to their astonishment, that, in consequence of this, all previous negotiations must go for nothing. One may easily judge how ready foreign nations will henceforth be to deal with our State Department! Had Mr. Seward occupied a place in the Senate, taking part in its deliberations, and being himself open to question, he could not, at least without great personal obloquy, have taken any step, unless the refusal or consent of the Senate had been previously rendered certain. Again, Mr. Sumner's speech upon the Alabama question created the greatest excitement in England. It was hardly possible for an Englishman to conceive that so important a speech, made by our leading statesman on the subject of foreign affairs, could be utterly without significance as regards the policy of the government. Had the Secretary of State been present in the Senate, he must have committed the government either directly or by silence, or, on the other hand, must have disarmed the attack by positive dissent. Indeed, in that case Mr. Sumner would

probably never have made the speech, without being sure whether it expressed the views of the government.

The diplomatic service suffers in common with the civil service from perhaps the greatest evil which afflicts our national affairs, — rotation in office for political purposes. Mr. Adams points out, in the article referred to, the fearful development to which this system has attained. He describes it as the result of the usurpation by the legislature of the powers of the executive, and states, as we think justly, that unless checked it will certainly result in national corruption and decay, and the ultimate overthrow of the government. Having read with interest his statement of the facts, we looked eagerly for a corresponding indication of the remedy. But in this he seems to us to have failed. His points are, first, that the President, resisting legislative influence, should himself institute a competitive examination for office, or some other method of appointment, if any other appear preferable; and, secondly, that a sound public opinion should force Congress to keep its hands off of the functions of the executive. As to the first remedy, he admits that we have never had, and probably never may have, a President less trammelled by his antecedents, a person of more resolute firmness, than General Grant; and yet that the President has been forced to succumb completely. As to public opinion, the elections are now managed by office-seeking politicians, availing themselves of party questions as their instrument. Moreover, although the country is aware of the existing corruption and laments it, very few persons know anything of the details of the process by which General Grant has for the first time been brought to a surrender. How can Congress, constituted and elected as that body is, be brought by public opinion to give up a power which constitutes its very life? We believe that the Executive must fight its own battles. If under the present system it is too weak to do so, a fair field must be furnished it in which it may state its case before the people, in order that it may throw itself upon the country. In 1868 Mr. Jenckes, of Rhode Island, introduced a bill for the reform of the civil service, which was hailed by the country with delight. It was referred to a committee, from which place of retirement it has once or twice emerged, only to be summarily recommit-

ted. Mr. Adams thinks that it is not suited to accomplish its object. But if it were never so much so, it would have no better chance of success. Even if a committee could be induced to report it, it would encounter the fiercest opposition from almost the entire House, and there is nothing in the position of Mr. Jenckes or of any other member which would give him the authority of a leader to unite the scattered forces of the minority. We suppose the department most interested in the civil service to be the Treasury. If the Secretary of the Treasury were to introduce into the House in person a measure of reform, pointing out, as no one ought to be able to do better, the evils of the existing system, and the necessity of the change for the proper administration of his department, the vote of every member would be carefully watched by his constituents, and he would be held to a strict account. If Congress refused to adopt the measure, the Secretary would appeal to the country, both in debate in the House and by speeches in the intervals of sessions, — a practice of "stumping" which, as soon as he became an active member of the government, would cease to have that undignified appearance which it now presents.

One of the departments of our government administration which causes the most pain and humiliation to humane and patriotic citizens is that of Indian Affairs. It is charged that our treaties with the tribes, even when well made, are badly executed; that the agents intrusted with the payment of pensions, etc., are of the most corrupt kind; and it is evident that when the Indians, exasperated by repeated acts of treachery and oppression, resort to hostilities, an Indian war furnishes a golden harvest to thousands of adventurers seeking to fatten upon the government expenditure. Nominally, this branch of administration belongs to the Secretary of the Interior. He has, however, no power of proposing to, and demanding of, Congress and the country a settled scheme of policy which shall remedy these abuses. On the other hand, there is no one in Congress who can be held directly responsible. Members may vent their indignation, but it falls harmless upon the committee who have charge of the subject, because the difficulty may be either in the scheme of policy or in the execution of it; and the former being in the control of the committee, and the latter in that of the

Secretary, neither is responsible for the results of the policy adopted.

The enormous grants of land to railways, which are exciting so much comment, furnish another illustration in point. Each one passes through on its own merits, if the word is not a misnomer; or if there is anything like concert of action, it is among the various interests which lend each other support for the purpose of avoiding opposition. Anything like a permanent and comprehensive policy is not possible to Congress and its committees of constantly changing members, mostly little familiar with precedents. It is true the members of the Cabinet change also, but the necessities of executive administration require a more connected system, and with junction of power and responsibility, a traditional policy would be likely to arise, in which past experience would be brought to bear upon present and future action.

With the view of "seeing ourselves as others see us," we will quote, with reference to another department, an extract from the Pall Mall Gazette of April 22d: —

"Instances are occurring every day illustrative of that peculiar feature of the Presidential or American form of government which excludes the ministers of the executive from the legislative chambers. The manner in which the funding and tariff bills are just now faring at the hands of irresponsible members in Congress, and the inconsistent and contradictory resolutions so frequently adopted in both houses with regard to them, while the Secretary of the Treasury, who has to administer the finances of the country, is obliged to look idly on, are cases in point. But perhaps an equally good illustration is afforded by the attempted army legislation of the present session. About a year ago the strength of the United States military forces was reduced by the disbandment of twenty regiments. The officers of these regiments, however, were all retained in the service, to the number of five hundred. Their annual pay amounts in the aggregate to about a quarter of a million sterling. As they were not needed, General Logan, the chairman of the Military Committee of the House of Representatives, shortly after the meeting of Congress, in December last, introduced a bill for saving this sum. He did not propose to dismiss the identical officers whom the chances of disbandment had left without employment. The principle he adopted was that a carefully organized board was to be appointed, and to it was to be remitted the duty of selecting the five

hundred officers whose services could best be dispensed with. They were then to be mustered out, receiving a year's pay and allowances as compensation. The bill passed the House with remarkable unanimity, and was approved by the press of the country generally. But when it came to the Senate, it was there met by Mr. Wilson with a rival scheme. In the first place, Mr. Wilson proposes to reduce the army still further, fixing its strength at 25,000 men. In the second place, he proposes to make it optional with officers to retire or not; and in the third place, instead of a year's pay and allowances, he would give only six months in some cases, while he would allow eighteen months in others. But not only does Mr. Wilson propose to reduce the army still further, contrary to the declared opinion of General Sherman, and at the same time fail to secure the reduction of taxation which the House bill aimed at, he actually provides for the appointment of more officers in the staff corps. These corps were constituted in 1866, on the calculation that the army was to consist of 75,000 men. When last year the army was reduced to about 35,000, it was enacted that no vacancy should be filled up until the proportion before existing should be again attained. But Senator Wilson's bill repeals the prohibition of new appointments in three out of seven of the corps. General Sherman has strongly condemned this bill, and it is believed that the President is equally opposed to it. Nevertheless, it is expected that it will pass the Senate. We shall then see one principle of legislation adopted by the House, and another by the Senate, and both generally believed to be disapproved by those who have to carry on the government of the country."

Whether the facts are here correctly stated or not, it is certainly a fair example of much of our legislation. It may be said that committees of conference reconcile the differences between the two Houses; but these committees, like all others, work in secret, and their aim is generally compromise rather than sound principles or the interest of the whole country, especially as there is an increasing jealousy between the two Houses. Besides they are still in no way obliged to consult the wishes of the Executive.

Second only to the civil service in importance, if second to that, is the department of the finances. In the case of the civil service, however, the question is comparatively simple, while the questions involved in the conduct of the finances require the application of abstruse principles both of theory and practice, — at once the technical knowledge of the merchant with the ana-

lytical and philosophical qualities of the student. The amount of writing upon this subject which has appeared in the last five years is truly astounding, and there is no authority which can distinguish between the wildest fustian and the soundest reasoning based upon experience. The public stands completely bewildered among the multiplicity of doctors, and sees no other course than to reject the whole and to adopt the expectant system, with faith in our national resources, and a patient hope that matters will in the end come right of themselves. It is safe to say, however, that matters will not come right of themselves. The late Mr. Cobden is said to have remarked that the United States have suffered more from the evils of a bad currency than from slavery itself; and if we may assume that all our previous violations of the laws of currency have been trifling compared with those which have been committed since the war broke out, — though it may be rash to predict in what form the disaster will come, — we can hardly expect that in sowing the wind we shall escape the harvest of the whirlwind. When we come to Congress the popular confusion is merely concentrated. The cardinal points of Mr. Boutwell's policy are a bill for refunding the debt at a lower rate of interest, the maintenance of taxation at full rates with a view to obtaining a large surplus for reducing the debt, and the selling of the surplus gold in the treasury, for the double purpose of depressing the price and obtaining means for the purchase of bonds. On all these points it is of the utmost importance that the views and plans of the Secretary should be fully and publicly explained. We have yet to see in the public press any expression of confidence in the funding scheme. It is of very doubtful practicability. The saving proposed is some ten or twelve millions, which, at a time when our surplus is one hundred millions, and the treasury is giving away more than the sum first named to the national banks upon their circulation, does not seem to be an object of vital importance. If the scheme has any bearing upon a return to specie payments, which we believe it has not, as neither Congress nor the country has any clear idea of the method of its action, this is precisely the kind of point which a Secretary should be called on to explain. A funding bill was passed in the Senate, shorn of some of the

main features which Mr. Boutwell was understood to desire. It was brought in by Mr. Sherman and defended by him in a half-hearted way, chiefly upon the ground that the Secretary was daily pressing him for its passage. As to the House, for weeks and weeks the public were entertained with the prospects of a bill being brought in by the committee, and with rumors as to Mr. Boutwell's hopes, wishes, and fears. The whole session, in fact, was spent in waiting for bills from independent committees on subjects which should be treated as a whole. Bills upon funding, upon the tariff, upon internal taxation, and upon the currency, wholly without reference to, and even contradictory of, one another, are brought in just at the close of the session, while the debates of the entire season have turned upon the fancies and merits of individual members. As a consequence of this, when the time of real debate comes, in which, from the absence of leadership, every member feels entitled to have his say, whether relevant or not, it becomes necessary to limit the speeches to fifteen minutes, or some short time, in which it is impossible that the subject should be intelligently treated. Thus it happened, last July, that in a few days were passed a tax and tariff bill, which, involving as it does a large loss of revenue, — unless this should be made up by increased productiveness, — and therefore directly opposed to Mr. Boutwell's policy, was yet prepared upon no general plan which the country could understand; a currency bill which may call for forty-five millions of dollars, and yet provides no source from which this sum shall be derived, and which has no apparent relation to the grand object of specie payments, its ostensible purpose being to satisfy certain individuals or classes who think themselves entitled to banking privileges; and a funding bill, which, while transparently impracticable, is deprived of the two features which alone gave it a chance of success, foreign agencies and compulsory funding by the banks. As these were two features which Mr. Boutwell especially insisted upon, of course he cannot be held responsible for any failure of the measure. Is it to be expected that men of first-class abilities will submit to be treated in that way? As to the point of responsibility, Mr. Boutwell began a year ago to buy up a large amount of bonds in excess of the sinking fund,

giving out that they would be held as a "special fund at the disposal of Congress." No action was taken by Congress upon this course for a long time, until finally it was glided over by ordering all the bonds in the sinking and special funds to be cancelled.

It remains, finally, to consider the objections which may be urged against the proposed innovation. The first remark of everybody to whom it is suggested is, that it is the English system. There is, however, quite enough of difference between the two systems to save us from an infringement of patent, and we think that ours admits of decided improvement upon the original. In England, the office of the sovereign being permanent, the appointments to office and the change of administration rest with the Prime Minister. A defeat of the government, therefore, upon any one point, involves a resignation and a new formation of the whole Cabinet. If the country is dissatisfied with the Home Department, this may cause a change of the secretary for India, notwithstanding that this office may be filled in the most satisfactory manner. This defect in the English system has been often noticed, but it is so bound up with their Constitution that no remedy has as yet been devised. Under our system it does not appear that the resignation of a single official would require an entire change of the Cabinet. But even if the Secretary were to continue to hold office in case of a defeat, he would be no worse off than at present, and the election of a new Congress would, within a short period, give the final decision of the country.

Another peculiarity of the English system is, that the Cabinet is virtually elected by the legislature. If the Ministry is defeated, it may appeal to the country by a dissolution, but the men indicated by the voice of Parliament must succeed to office sooner or later. The nominal executive, the sovereign, has no longer in practice the use of the veto. He can oppose Parliament only through a dissolution, while over the House of Lords, as against the popular will, he holds the rod of a possible fresh creation of peers. Apparently, therefore, the Executive is wholly under the control of the House of Commons. But the protection against this consists in the presence in that House, and the participation in debate, of Cabinet officers. The Ministers have the power of appeal to the ultimate

tribunal, the people; and if they can satisfy the latter, either as to the merits of their case or as to their own ability and integrity, they can defend themselves against Parliament through the electors. Thus the Irish Land Bill was not at all likely to be popular in either house of Parliament. But "the British electors had had time to consider, and though they did not understand the bill, and do not understand it now, they did understand that the Premier in proposing it was within the range of his genius, and they warned all recalcitrant liberals, in a low but perfectly audible growl, that under those circumstances their function was not opposition to the government, but silent voting in its support."* If the Ministers had been excluded from Parliament, it is very possible that the Corn Laws might have been in existence to this day.

The English writers, in comparing their own system with the "Presidential," assume that under the latter no such arrangements are possible, on the ground that the executive is chosen by the people at regular intervals, and cannot be removed; that heads of departments being appointed by him, even if Congress should compel the resignation of an obnoxious official, they cannot compel the President to a change of policy; and that if a sudden crisis of affairs occurs, which in England is met by a change of Ministry, the fixed terms of office prevent such a change here. It seems to us that the difference is not in principle, but in form. Our terms of office are short enough to preclude any very great harm from fixity of tenure. The main point is to bring the questions at issue directly before the people, and the evil of a brief delay in the elections may well be no greater than that which may arise from a too hasty change of Ministry through a sudden reversal of a Parliamentary majority.

It may be objected that such a change is contrary to both the letter and the spirit of our institutions. The Constitution of the United States has nothing in reference to the subject unless it be in the clause, "all bills for raising revenue shall originate in the House of Representatives," and to this we shall presently refer. We have been able to discover nothing adverse to it in the rules and orders of the Houses. The

* The Spectator, June 4.

"Federalist" is silent upon this point, though in Paper XLVII., which was written by Mr. Madison, there is a sentence which has an interesting bearing upon it. At that time the great object of public apprehension was the power of the Executive, and the aim was to separate wholly the powers of each department. Mr. Madison says: "I shall undertake to show that, unless these departments be so far connected and blended as to give to each a constitutional control over the others, the degree of separation which the maxim requires as essential to a free government can never in practice be duly maintained." If the view we have taken is correct, the prediction has been strikingly verified. In the debate in the House of Representatives on the establishment of the Treasury Department, June 25, 1789, the question was upon the duty of the Secretary "to digest and report plans for the improvement and management of the revenue and the support of the public credit." The arguments against the clause were based on jealousy of the Executive. It was said that all revenue bills must originate with the House, that it did not consist with the dignity of that body that its work should be dictated by a public officer, and that with his superior information a Secretary might deceive and mislead the House to the most injurious measures. On the other hand, it was contended that a bill was not "originated" till it had passed the House, and that the mere proposal of measures by any person did not interfere with this; that it was perfectly open to the House to amend or reject the measures proposed by the Secretary; and that as the House would be constantly refilled with new members from local and distant constituencies, their want of knowledge would expose them to the most serious mistakes, the best preventive of which would be the guidance of an official possessing the requisite information and experience. Mr. Hartley replied to the last argument by one of those general propositions which show that the present Congress only retains something of the original spirit. It was possible, he said, that there might be injurious mistakes in finance, "but I would rather submit to this evil than, by my voice, establish tenets subversive of the liberties of my country." Another argument apparently needed to be developed by time, that the absence of crystallizing power in the oppos-

ing views of members from the want of leadership would prevent them from arriving at any intelligent and definite conclusion. On the 21st of September, Mr. Hamilton, then Secretary of the Treasury, informed the Houses that he had prepared, as requested, a report on the public credit, and the question arose how it should be received. In favor of oral communication, it was urged that members would not be able to understand the subject-matter without explanations; but in favor of a written communication, it was replied that the topics were too abstruse and too complicated for oral treatment, and that the main report, as well as all explanations, should be given in writing. It does not seem to have been suggested that both methods might be combined with advantage. Thus casually appears to have been settled the policy of the government in this respect. In establishing the Departments of War and Foreign Affairs, this point appears not to have been touched upon, the long debate in the House in the latter case having turned upon the question whether the Secretary should be removable by the President. That both the Secretary and the President did attend the meetings of the Senate we learn from the following items: "Tuesday, July 21, 1789. *Ordered*, That the Secretary for Foreign Affairs attend the Senate to-morrow and bring with him such papers as are requisite," etc. With which request the Secretary complied; and again on Saturday, August 22d: "The President of the United States came into the Senate Chamber, attended by General Knox, and laid before the Senate the following statement of facts." We find no later record of any such attendance, but these cases at least serve to show that the exclusion of the Executive from the Houses was not originally insisted upon.

If, then, there is nothing in our laws or precedents contrary to the proposed reform, we have next to inquire how it could be brought about. Supposing the experiment to commence with the Treasury, it is evident that it requires a disposition on the part of the Secretary, because it is not to be expected that Congress should force him to take the step. But the advantages to a Secretary desirous of carrying out a definite policy are so obvious, that a man must sooner or later be found who will prefer them to the shelter given to incapacity by the present

system. On the part of Congress a corresponding disposition can hardly be expected. The measure is directly antagonistic to the private interests which hold such sway in the existing confusion, and almost equally so to the principles of election to which many members owe their seats. We venture to assume, however, that there are some members superior to any considerations lower than the interest of their country. One such member, having an understanding with the Secretary, might introduce a resolution to the effect that the Secretary be requested to make his annual report orally to the House, and to appear in that body on one day of each week thereafter during the session, for the purpose of making explanations, answering inquiries, and reporting progress in relation to the affairs of his department. If Congress should refuse to adopt this, it would be a legitimate ground for a canvass of the country, both by the Secretary himself, by members and others who should perceive its advantages, and by the public press. It would have the merits of simplicity and directness as compared with the complicated details upon which the public are now required to form a judgment. Supposing this measure to have been at last forced upon Congress, some other points suggest themselves as to its working. If the fear of executive influence be still urged as in 1789, we answer that the increased responsibility would fully offset this. The cloak to incompetency furnished by isolation would be removed. A Secretary who should favor the maintenance of excessive taxation for the sake of buying up debt at a large premium, the placing the management of our debt in the hands of foreign agents, and the selling of Treasury gold when the actual balance at his command was less than five per cent of the paper money afloat, would be required to give full and satisfactory reasons for his policy. If the head of any department failed to secure a majority in Congress, it would be open to the President to appoint another man. If, however, the President and the Secretary were in accord that the latter should not resign, he might accept as now, though under protest, what measures he could secure from Congress, or he might allow matters to stand until a new election either of Congress or the Executive, while in the mean time the opinion of the country would be forming. The same

course would apply in the case of the entire Cabinet. That the system would not work here precisely as it does in England seems to be no argument against its adoption. As many bills have to pass both Houses, it might be necessary for some members to attend in both Houses, though it seems that the Secretary of State would need to appear only in the Senate.

It may be further objected that the system is inconsistent with our method of doing business by committees. In England it is not the practice to refer different classes of business to special committees. Occasionally a select committee is appointed for some special business, but every subject of importance is debated in Committee of the Whole. The result is that the House of Commons is greatly overworked. The sittings last from about noon till two and even four o'clock in the morning, and this day after day; yet only a fraction of the mass of pressing business can be got through with. Of course, human strength cannot bear this, and there is much discussion as to the remedy. One of the means suggested is that of appointing special committees for different departments; but the objection is advanced as final, that the grand object of publicity would suffer; that the business must necessarily be conducted in secret; and that thus the country would lose the requisite information as to the several objects of legislation. We believe, or at least hope, that the objection is not insuperable. The chairman of a committee is the person who now reports and explains the results of its deliberations, and many persons believe that he corresponds to the English Cabinet Minister. But the difference is fundamental. Such a chairman has, or needs to have, but one object, — that of securing the passage of the bill; the Secretary would have quite a different one, — that of promoting the successful administration of his department. The chairman is interested in but one bill or set of bills; the Secretary would be equally interested in everything pertaining to his department. The chairman has an interest in the temporary measure of the moment; the Secretary would be guided by the past traditions and the permanent policy of his office. It is likewise to be remembered that no chairman can hold a position of leadership to the whole House. If, therefore, the head of a department were to attend the meetings of the various

committees in which he was interested, while he would endeavor to reconcile their action, he would also upon their reporting to Congress stand ready to enforce or correct it, and give such information as would lead to intelligent response on the part of members and the country.

One great advantage from the change would, we think, appear in the improved tone of congressional proceedings. A Secretary, anxious to gain supporters for a plan of administration, would use courtesy in debate, at least in form, as one of the simplest and most obvious of instruments; and the same would be true of a leader of opposition. It would be a new and not unworthy experiment in Congress of the manner in which "a soft answer turneth away wrath."

Other objections to the scheme, of more or less force, may doubtless be raised; and we may have stated too strongly, as probable results, what might be more properly described as tendencies; but we ask whether any more practicable plan be proposed to meet existing evils? In France, under the imperial system, the executive absorbed the legislature, so that the meetings of the Chambers were little more than a form, while in this country we have to encounter precisely the opposite evil. We are by no means blind admirers of the English Constitution, and were it our present object we could, doubtless, point out evils in the state of English society as great as those from which we suffer. But when we consider what has been accomplished under that government; that for more than two centuries, while the rest of Europe has been torn with the struggle between the spirit of feudalism and democracy, England has been free from violent social revolution; that one great danger after another, threatening to involve the whole social fabric in the contest, has been successfully dealt with by a process of continued reform; and that, even now, questions far more intricately involved with the interests of classes and the traditions of the past than any now before us are being grappled with, not without a good hope, and, at all events, with an earnest purpose of success; — when we consider this, it seems well worth while to examine if there is not some feature of their system which we can adopt with advantage. That we have need of some remedy, that the country is greatly dissatis-

fied with the proceedings of Congress, and looks with increasing disgust upon the ways of politicians, we think, may be safely assumed. May we not hope for the growth of a party of the country, which shall have for its object the restoration of the true relation between the executive and the legislature?

One method of reform has been proposed and widely discussed under the general name of representation of minorities, or in detail as the cumulative, the preferential, and the limited methods of voting. But, without particularly discussing these, we may say that they seem to have one defect in common, that they do not provide for nominations. The difficulty to be met is not so much that large classes are unrepresented, as that people will not vote. The voters have nothing to guide them, except the nominations in caucus, which are, in great part, such that respectable men prefer not to vote at all. The new methods of voting do not, as it seems to us, provide for this evil. There is nothing to lead a member of Congress, however able, industrious, or patriotic he may be, to hope that the exertion of these qualities will secure for him advancement to high posts of honor and responsibility in his country's service. In like manner the absence of a real field for the display of these qualities prevents the country from concentrating its attention upon its ablest men. And both these causes combine to deter the best men from seeking the public service. But members of Congress must be chosen, and votes must be concentrated in some way. And so it happens that the spoils of office, down to the lowest grade, are employed and desperately clung to by inferior men, who have yet the talent for using this method of securing votes, — a method which tends constantly to degrade both voters and officials.

We have endeavored to show that it is by connecting the executive with the legislature, and by giving publicity to debate, by opening to public competition prizes which shall call out and stimulate the best talent, and by placing the people, than whom there is none in the world more competent than our own, in a position to judge of and reward the exertions of its servants, — that it is by such means that we must hope once more to attract our voters to the ballot-box, and to secure a solution of the great and pressing questions of the day.

GAMALIEL BRADFORD.

Art. V. — English Aristocracy and English Labor.

That a nation the most wealthy on earth should allow a vast proportion of its inhabitants to languish in a state of poverty the most abject and the most hopeless; that the nation which claims the first rank among free states should suffer to exist throughout its rural population a degree of degradation hardly, if at all, removed from absolute slavery, is matter of special wonder. Yet such is, and such has long been, the condition of England. After centuries of suffering, volumes of discussion, and statutes without number, the question how to deal with this state of things is pressing most alarmingly on the government of that country, and exciting intense interest all over the civilized world. It is becoming *the question* for England, and one of graver import has never presented itself. Is it or is it not to be solved? Is there or is there not any way of accounting for this strange anomaly? We think that there is, and that the clew to it is furnished in a remark which is attributed to Mr. Disraeli.

That gentleman is reported to have said that the population of England is made up of two nations. What is meant by this assertion, and what is now the relative position of these two nations, are the questions which this paper is intended to discuss. We will begin with the account we have of the state of England soon after its abandonment by the Romans.

Mr. Sharon Turner proves by quotations from Domesday Book and other authorities, that he is justified in saying that "there can be no doubt that nearly three fourths of the Anglo-Saxon population were in a state of slavery; and nothing could have broken the powerful chains of law and force, by which the landed aristocracy held the people in bondage, but such events as the Norman Conquest, and the civil wars it excited," etc. The Norman Conquest certainly made short work with the Anglo-Saxon aristocracy, for it dispossessed it, and reduced it to much the same state of bondage with its former slaves.

An old writer thus describes the change brought about by the Norman Conquest: "This mere name of the laws of King Edward was all that henceforth remained to the Anglo-Saxon

nation of its former existence; for the condition of every individual was changed by the Conquest; from the highest to the lowest, every one of the vanquished had been let down from his former condition; the chief had lost his power, the rich his possessions, the freeman his independence, and he who under the cruel custom of that age had been born a slave, become the servant of a foreigner, no longer enjoyed those indulgences that the habit of living together and community of language procured for him on the part of his former master." (Sermo Lupi, quoted by Mr. Thierry, Vol. I. p. 250.) This state of things was of long duration. After that event (the Norman Conquest) the entire Saxon population, gentle and simple, remained trodden under foot by their Norman masters. In the year 1215, the date of Magna Charta, about one hundred and fifty years after the Conquest, no change in this respect had taken place. In speaking of that document, Sir William Blackstone uses the following absurd language, which law students, from his day downwards, have too often accepted without question as the utterance of an oracle. After reciting some of the less important articles of the charter, he adds: "It confirmed and established the liberties of the city of London, and of all other cities, boroughs, towns, and ports of the kingdom; and lastly (which alone would have merited the title it bears of the great charter), it protected every individual of the nation in the free enjoyment of his life, his liberty, and his property, unless declared forfeited by the judgment of his peers, *or the law of the land.*" One knows not whether to be amused or provoked at such rodomontade. Could it be supposed from this lofty language, that, at the moment alluded to, seven tenths of the people were, by the laws of the land, absolute slaves, gaining just as much by the great charter in 1215 as our negro slaves on Southern plantations, or elsewhere, did by the Declaration of Independence in 1776? The cases are almost parallel. This famous twenty-ninth chapter in the bald Latin of the time runs thus: "Nullus liber homo capiatur, vel emprisonetur, aut dissesisiatur de libero tenemento suo, vel libertatibus vel liberis consuetudinibus suis; aut utlagetur, aut exulet, aut aliquo modo destruatur, nec super eum ibimus, nec super eum mittemus, nisi per legale judicium parium suorum

vel per legem terræ. Nulli vendemus, nulli negabimus, aut differemus rectum vel justitiam." Now who were these *liberi homines*, — these freemen? Nobody knew better than Mr. Justice Blackstone that they were the great barons, the tenants *in capite* of the king, and the lesser barons, and tenants holding under them; in point of number an exceedingly small minority of the whole people. Spelman, in his Glossary, says that *liber homo* anciently meant a gentleman, for scarce any one besides was entirely free. If he is right, the true reading should be, No gentleman shall be arrested, imprisoned, or disseised, etc., and to no gentleman will we sell, or deny, or delay justice. On the same subject Sir George Nichols, in his History of the Poor Laws (Vol. I. p. 19), uses this language, which comes much nearer to the truth: "Magna Charta was wrung from the unwilling John by the armed barons assembled at Runnymede in 1215. This charter, long regarded as the foundation of English liberty, relieved the nobility and freemen from the arbitrary exactions of the sovereign, but the serfs and villains were not included, *but remained in a state of slavery as before*." A villain or rustic was not, however, by the imposition of any fine, to be deprived of his carts, ploughs, or implements of husbandry; and this, as is remarked by Mr. Hume, "was the only article calculated for the interests of this body of men, probably at that time the most numerous in the kingdom." With reference to this early period," Mr. Macaulay observes: "The sources of the noblest rivers, which spread fertility over continents, and bear richly laden fleets to the sea, are to be sought in wild and barren mountain tracts, incorrectly laid down in maps, and rarely explored by travellers. To such a tract the history of our country during the thirteenth century may be not inaptly compared. Sterile and obscure as is that portion of our annals, it is there that we must seek for the origin of our freedom, our prosperity, and our glory. Then it was that the great English people was formed, that the national character began to exhibit those peculiarities which it has ever since retained; and that our fathers became emphatically islanders, — islanders, not merely in geographical position, but in their politics, their feelings, and their manners."

We are aware that it may be said, in defence of Sir W.

Blackstone, that all he intended to assert was the simple truth, that every individual who had any property or liberties was to be protected in the enjoyment of them; and that he might be supposed to mean that in the progress of time and the advancement of society these privileges, at first restricted to a few only, came at last to be extended to every Englishman. We will admit, for the sake of argument, that this may have been his meaning; and it is precisely the question at issue, how far and in what sense this may be said to be true. Starting then from this point of time, which leaves the English people, as distinguished from their Norman masters, plunged in utter servitude, we will attempt to follow them by means of the statute-book and the courts of law, the only guides we have, up to our own day. It is a melancholy picture, one of the saddest in the annals of our race. The course we have to follow is by no means a primrose path, and most English writers, especially the popular historians, are little disposed to enter it, Sir W. Blackstone being a sample of them all. Lord Macaulay, in the passage just quoted, after a splendid exordium, avoids the question and goes off into a sweeping generality, which commits him to nothing, while it pays but an equivocal compliment to his countrymen. Mr. Hume is more candid. "Scarce any of those revolutions," he says, "which in both history and common language have always been denominated conquests, appear equally violent, or were attended with so sudden an alteration of both power and property." In our point of view a correct notion of this conquest, the slavery consequent upon it, the duration of that state of slavery, and the way in which it dropped out of sight, is essential to a proper understanding of the pauperism existing in Great Britain, and of Mr. Disraeli's startling assertion. While we are constantly told of the equality before the law, and the right to even-handed justice, which is the birthright of every Englishman, no one has ever been able to tell us from what moment these privileges date, or precisely what they are. Lord Macaulay says in his History of England (Vol. I. p 22): "Moral causes noiselessy effaced, first the distinction between Norman and Saxon, and then the distinction between master and slave. None can venture to fix the precise moment at which either distinction ceased;

some faint traces of the old Norman feelings might, perhaps, have been found in the fourteenth century. Some faint traces of the institution of villainage were detected by the curious so late as the days of the Stuarts; nor has that institution ever to this hour been abolished by statute." Where, then, are the two nations now whose status was so distinctly marked for more than three hundred years after the Norman Conquest? What became of those poor slaves, and how have they and their descendants fared? The answer must be sought in the laws of the realm, — laws passed by Parliaments governed entirely by the landed gentry, and marking, step by step, with vivid and shocking distinctness, the selfishness and greed of men when they are possessed of uncontrolled power. It will be observed that for the first three hundred years after the Conquest *there were no poor*, that is, there were no paupers, in the modern sense of the word, who could claim a legal right to support; the master himself being bound to provide for his slaves. This is a most important fact. The first act on record, recognizing this class of poor, claiming wages, was in the 23d of Edward III., nearly three hundred years after the Conquest, and one hundred and thirty-four years from the date of Magna Charta. It may be termed a turning-point in the character and history of the English people. The two nations in question henceforth present themselves in a new attitude towards each other. The mistake then made has never been retrieved, and from it, we shall see, grew up a practice which has led to disastrous results. The process by which, in the course of time, the poor slave dropped from the grasp of his master it is extremely difficult, and at this late day perhaps impossible, to point out with any degree of exactness. It is certainly known, however, that serfdom was far from being extinguished, though somewhat weakened, in the year 1348 (22d of Edward III.), when there fell upon Europe a pestilence, unexampled in horror, — the well-known 'black death,' — which is said to have carried off one half the inhabitants of England. The effects of this calamity upon the two nations, which then as now composed the population of England, remain uneffaced to this day. It would naturally be presumed that when the shattered remnant of the pampered class emerged from this dire visitation, it would be so pene-

trated with the nothingness of earthly distinctions, as to meet its equally afflicted dependants as fellow-men and fellow-Christians. It needs the experience we have ourselves lately had of the effect of a long-continued habit of holding other men in slavery fully to comprehend what actually took place. The utter dread of the least approach to political or social equality was too strong to be removed even by a warning like this. It came out unchanged from the very valley of the shadow of death. The poorer classes suffered most, and such as were not still slaves naturally inclined to profit by their diminished numbers, by refusing to work unless at higher wages than before the sickness. It is one of the sayings of Adam Smith, that "it is a good time for labor when two masters are running after one workman; it is the reverse when two workmen are competing for one master." But this presupposes that both parties are in a position to make a bargain, and to enforce it when made. In this case, unfortunately, the master owned his men, or if he had manumitted them, he belonged to a body who owned all the land, and, by reason of that ownership, made all the laws. Accordingly, the refractory workmen and servants were met by an act known as the *Statute of Laborers*, which begins by stating "that because a great part of the people, and especially workmen and servants, late died of the pestilence, many, seeing the necessity of masters and great scarcity of servants, will not serve unless they may receive excessive wages, and some rather willing to beg in idleness than by labor to get their living," then goes on to direct that every man and woman of whatsoever condition, *bond or free*, able in body and within the age of threescore years, not living in merchandise, nor exercising any craft, nor having of his own whereof he may live, nor proper land about whose tillage he may himself occupy, and not serving any other, shall be bound to serve him who shall him require, and take only the wages, livery, meed, or salary which were accustomed to be given in the places where he oweth to serve; and if any man or woman, being so required to serve, will not the same do, and that be proved by two true men before the sheriff, or the bailiffs, or constables of the town, he shall anon be taken and committed to jail, there to remain under close keeping till he finds surety

to serve in the form aforesaid." And it is further directed that "no man pay, or promise to pay, any servant any more wages, liveries, meed, or salary than was wont, nor in other manner demand or receive the same, on pain of doubling that that so shall be paid, promised, required, or received to him which thereof shall feel himself grieved, pursuing the same:" As will readily be believed, another act became necessary in amendment and continuation of this. The new act begins by reciting, "Whereas late against the malice of servants which were idle and not willing to serve after the pestilence without excessive wages, it was ordained that such servants, as well men as women, should be bound to serve, receiving salary and wages accustomed; and now, forasmuch as it is given the king to understand in this present Parliament, *by petition of the commonalty*, that the said servants, having no regard to the said ordinance, but to their ease and singular coveties, do withdraw themselves to serve great men, and others, unless they have livery and wages to the double or treble of that they were wont to take before, to the great damage of the great men and impoverishing all the said commonalty; wherefore it is ordained that carters, ploughmen, drivers of the plough, shepherds, swineherds, deies, and all other servants, shall take liveries and wages accustomed. Where wheat was wont to be given they shall take it, or for the bushel *ten* pence, *at the will of the giver*. In time of sarcling (weeding) or haymaking the wages are to be but a penny a day, without meat or drink or other courtesie demanded, given, or taken." The act further provides that the said servants are to be sworn twice in the year to hold to do these ordinances, and directs that none of them go out of the town where he dwelleth in the winter to serve the summer, if he may serve in the same town. Nine years after, the last of these acts, the 34th of Edward III. was passed, imposing an additional penalty upon laborers and artificers who absented themselves from their services; and directing that they should be branded on the forehead with the letter F, "in token of falsity." At the same time a fine of £ 10 was imposed on the mayor and bailiffs of a town, if they failed to deliver up a laborer or artificer who had left his service. The same restrictions were applied to artificers and workmen in all the trades. This last act was passed

in 1360. In 1377 Edward III. died, and was succeeded by his son, Richard II., a minor. The riots and violence which, according to all the historians, prevailed during the last years of the reign of Edward III., the natural consequence of the acts just recited, soon led to open insurrection. From the beginning of the new reign we read of grievous complaints by the Lords and Commons, "of villains and land-tenants withdrawing their services, and affirming themselves to be quit and utterly discharged of serfage due, as well of their body as of their said tenures, and will not suffer any distress or other justice to be made upon them, but do menace the ministers of their lords, and gather themselves together in great routs, and agree by such confederacy that every one shall aid other to resist their lords with strong hands, to the great damage of the said lords, and evil example to other to begin such riots."

This state of things continued for several years. "It was, in short," says Sir George Nichols, "a struggle of the *servile many* against the claims of the *superior few*." At length, in 1381, the 5th of Richard II., it came to a head in the great rising under Wat Tyler. The insurgents amounted to one hundred thousand men in one body. They demanded a general pardon, *the abolition of slavery*, freedom of commerce in market towns, without toll or impost, and a fixed rent on land, instead of the services due by villainage. Mr. Hume declares these requests to have been extremely reasonable, and they were in fact complied with by the king. Charters to that purpose were granted them, and this body immediately dispersed and returned to their several homes. Happy had it been for England had these charters been confirmed and carried out in good faith. The king met another body of the insurgents led by Tyler himself, a collision took place, Wat was brained by the lord mayor, a body of armed soldiers came to the king's assistance, the nobility rushed to the rescue of his Majesty, the rebels were forced to submit. The charters of enfranchisement were at once revoked by the Parliament, and, says Sir George Nichols, "the low people were reduced to the same slavish condition as before." Mr. Sharon Turner * gives the following account of the Parliamentary proceedings :—

* History of England, Vol. II. p. 204, quarto edition.

"The insurrection was noticed in the speech from the government in the following Parliament. The lord treasurer recommended an inquiry to be made into the causes which had produced it. He reminded them that the king had granted letters under his great seal, enfranchising the servile part of the community, but declared that his Majesty was aware that he could not do this consistently with the law of the land, and had therefore recalled them. But he left it to the prelates, Lords, and Commons to decide whether they would sanction the enfranchisement or not, adding from the throne this important intimation, that if they were desirous to enfranchise the servile classes, as it had been reported some were, *the king would assent to the measure.* The Lords and Commons did not adopt the liberal feeling of the sovereign; they declared that they would not sanction the manumission, though they should all perish in one day; and they annulled them *universally.*"

Here was a golden opportunity lost forever. From this time it is one gloomy picture of arrogant blindness and perversity on the one side, and on the other of moody and sulky endurance. The same mass of degraded human beings presents itself to Queen Victoria to-day, as confronted King Richard five hundred years ago on Blackheath, — the grim Nemesis of eight centuries of wrong.

Seven years later, in 1388, one hundred and seventy-three years from the date of Magna Charta, was passed the 12th Richard II., which has generally been considered as the origin of English Poor Laws. By this statute the acts of Edward III. are confirmed; laborers are prohibited, on pain of imprisonment, from quitting their residences in search of work, unless provided with testimonials stating the cause of their absence and time of their returning, to be issued by justices of the peace *at their discretion.* And because laborers will not, and for a long season would not, serve without outrageous and excessive hire, prices are fixed for their labor, and punishments awarded against the laborer who receives more, and the master who gives more. Persons who have been employed in husbandry until twelve years of age are prohibited from becoming artisans. Able-bodied beggars are to be treated as laborers wandering without passports. Impotent beggars are to remain where they are at the time of the proclamation of the act, or if those places are unwilling or unable to support them, they are, within forty days, to repair to the places where they were born, and there dwell *during their lives.*

The late Mr. Nassau Senior, in an article in the Edinburgh Review (October, 1841), says: "We believe that the English Poor Laws originated in selfishness, ignorance, and pride. We are convinced that their origin was an attempt, substantially, to restore the expiring system of slavery." That system could not well be considered as expiring at this epoch, as the vote just cited shows, and it existed and was recognized in the courts of law, as we shall presently show, two hundred years after the passage of this statute of Richard II. Let us look a moment at the state of things in that year (1388). The insurrection of Wat Tyler was not an ordinary rising in one or two spots, as plainly appears from what has gone before, but a great and general movement, with a fixed object. Mr. Disraeli's two nations stood confronting each other. On the one side the great body of the people, the enslaved Anglo-Saxon population, on the other the descendants of the original Norman barons, who owned all the land, and were consequently the government, — not merely a majority of the Parliament, but the Parliament itself. There was then no manufacturing, no commercial, no banking interest to check in the smallest degree the power of the landlords. The rustics or farm laborers were at their feet. What could Magna Charta do for them? Magna Charta was merely a bargain between the king and his barons and tributaries. It had not, and never could have had, any force against an act of Parliament.

Of course we look in vain for any act of emancipation, but many of the oligarchs began to find that the holding of slaves was unprofitable, and they bethought themselves of a clever means of relieving themselves of it. Sir George Nichols, in speaking of the accession of Henry VII., about a century later, says of the beggars and vagabonds: "This class of persons had in all probability gained head during the disorder of the civil wars, and it may be presumed that their numbers were likewise increased by the emancipation from villainage, which had now been consummated, and which, while it left the people free to follow their own inclinations, *exonerated their masters from responsibility for their support.*" What is meant by emancipation from villainage having been consummated he does not explain. It is one of those vague expressions with which English writers

always slide over this question. It is not material to discuss here how far emancipation had actually proceeded at any given moment. It did, no doubt, in every case release the master from the obligation to provide for the maintenance of his slave, which was exacted by virtue of laws such as existed among our Southern slaveholders to protect themselves against careless or unprincipled masters who would leave their slaves unprovided for. As to the freedom of the people to follow their own inclinations, we have already seen what that means. It no doubt often happened that the master, finding his slaves burdensome, manumitted them, leaving them to shift for themselves. Having no longer a master to depend upon, they of course could not live without wages, and those wages were meted out at the will of their former masters. Here, then, is the explanation of all the consequent misery which has fallen upon England. Just in proportion to the decline in villainage has been the increase of pauperism. It is the history of oligarchies the world over. The landlords were omnipotent, and made act after act of Parliament, fixing the wages of labor, which they obliged their wretched slaves to take, under pain of fine, imprisonment, branding with a hot iron, whipping at the cart's tail till the blood ran, and finally of death. There was never a moment, from 1348, the date of the statute of laborers, to the reign of George II., 1725, when the rate of wages for laborers, and generally for artisans as well, was not regulated by act of Parliament. In the reign of Henry VIII. things had got to a frightful pass. There are said to have been seventy-two thousand men and women who underwent capital punishment in a reign of thirty-five years. This is probably an exaggeration, but the punishments of vagrants and vagabonds were severe and revolting beyond belief. The impotent and aged poor were not provided for, as in later times, by parochial assessment, but they were furnished with a license recommending them to the charitable, and they sometimes wore a badge or some kind of livery to distinguish them. In the reign of Edward VI. it is still the same story,—wages fixed by law, fines, whipping, branding, and so on, for vagrancy, and thus things went on until the act of the forty-third year of Elizabeth's reign (1601), as Sir George Nichols calls it, "the great turning-point of our Poor Law legisla-

tion." It is also a turning-point in the history of Mr. Disraeli's two nations. Sir George Nichols remarks: "The 43d of Elizabeth was not the result of a sudden thought or of a single effort, but was gradually framed upon the sure ground of experience; and it is curious to trace the successive steps by which its chief enactment — that of a compulsory assessment for the relief of the poor — came at length to be established. First, the poor were restricted from begging, except within certain specified limits; next, the several towns, parishes, and hamlets were required to support their poor by charitable alms, so that none of necessity might be compelled "to go openly in begging," and collections were to be made for them on Sundays, and the parson was to stir up the people to be bountiful in giving. Then houses and material for setting the poor on work were to be provided by the charitable devotion of good people, and the minister was every Sunday specially to exhort the parishioners to contribute liberally; next, the collector for the poor, on a certain Sunday after divine service, was to set down in writing what each householder was willing to give weekly for the ensuing year; and if any should be obstinate and refuse to give, the minister was gently to exhort him, and if he still refused, then to report him to the bishop, who was to send for and again gently exhort him; and if still refractory, the bishop was to certify the same to the justices in sessions, and bind him over to appear there, when the justices were once more gently to move and persuade him; and if he would not be persuaded, they were then to assess him in such a sum as they should think reasonable." This prepared the way for the more general assessment authorized by the 14th and 39th of Elizabeth, which again led to the complete and universal assessment of property, established by the further act (1601), which still continues the law.

We have seen that, from the "black death" in 1348, when pauperism was unknown, villainage had gradually declined, nobody seems to know exactly how, and that pauperism had grown *pari passu* up to the close of the reign of Elizabeth. Can anything be more apparent than that the wretched mass of poverty and crime of that day was made up of villains and the descendants of villains? The two nations were there, one of them, and that by far the more numerous, still virtually

slaves. But villainage proper, slavery pure and simple, was also still there, notwithstanding the confident assertion of Sir George Nichols that emancipation was consummated just one hundred years earlier, when Henry VII., the grandfather of Queen Elizabeth, ascended the throne. Professor Rogers, of Oxford goes a century and a half further back, and says that "anything like the extreme theory of villainage was, I am convinced, extinct before the close of the thirteenth century (in the teeth of the vote of 1381, quoted above). In many thousand accounts, he says (among the papers of Merton College), I have never *found a trace of any transfer of villains*, or even of their services to third parties." The statistics are those of Professor Rogers himself. Sir Thomas Smith, secretary to Edward VI., declares that in his time he never knew any villain in gross throughout the realm, and that the few villains regardant that were then remaining were such only as had belonged to bishops, monasteries, and other ecclesiastical corporations in the preceding times of popery. The following extract, however, from Lord Campbell's life of Sir James Dyer, chief justice of the common pleas from 1559 to 1582, shows that half a century later it was by no means extinct: "It is not generally known that, down to the reign of Queen Elizabeth, there were in England both 'villains in gross,' or *slaves*, who might have been sold separately like chattels, and 'villains regardant,' or slaves attached to particular land, with which they were transferred along with the trees growing upon it." Lord Campbell then gives four examples out of the cases mentioned by Dyer in his reports. We will copy two of them: "In an action of trespass and assault there was a justification by the lord of a manor, that the plaintiff was his villain regardant, and the evidence being that he was his villain in gross, the question arose for which side judgment should be given. The defendant insisted that the substantial question was villain or free, not villain regardant or villain in gross. And that having greater rights over the plaintiff as villain in gross than as villain regardant, he had proved more than he was bound to prove, and the action was well barred. One judge inclined to this opinion, but the rest of the court thought that, in favor of liberty, the plea must be strictly the plea

proved, and peradventure the plaintiff was misled by the false issue tendered to him, and might have deemed it enough to negative the regardancy, without bringing forward proof to negative villainage in gross. So the plaintiff became a freeman."

A. B., seized in fee of a manor to which a villain was regardant, made a feoffment of one acre of the manor by these words: "I have given one acre, etc., and further, I have given and granted, etc., John S., my villain." Question. "Does the villain pass to the grantee as a villain in gross or as a villain appendant to that acre?" Two of the judges thought he should pass in gross, as there are several gifts, though in one deed; while the other judges said that if the whole manor had been granted, with a further grant of "John S., my villain," the villain would clearly have passed as part of the manor, and therefore that the acre and the villain being granted together, there was no severance. The court being equally divided, no judgment seems to have been given. These cases were not dismissed as no longer sustainable in an English court of justice, as would be now done in our courts in case of a man claimed as a slave, but entertained and adjudicated upon like any other actions. Lord Campbell adds in a note: "Villainage is supposed to have finally disappeared in the reign of James I., but there is great difficulty in saying when it ceased to be lawful, for there has been no statute to abolish it, and by the old law, if any freeman acknowledged himself in a court of record to be a villain, he and all his after-born issue and their descendants were villains." In point of fact, every copyholder in England is at this moment a villain regardant, inasmuch as in case of the sale of the manor of which he holds, he passes with the land into the possession of the purchaser. Until the passage of the Reform Bill of 1832, no copyholder, however rich, had a vote for member of Parliament, because he held by a base or villain tenure.

We have seen that slavery no sooner disappears than the pauper takes its place. The abandoned slaves have become so numerous and so clamorous, that it is absolutely necessary to make some provision for their support. The 43d of Elizabeth directs that the church-wardens, and two or more householders to be appointed by the justices, shall take order,

with the consent of the justices, for setting to work children, and all persons having no means to maintain themselves, and using no ordinary or daily trade of life to get their living by; and to raise a fund by taxation of the inhabitants for such setting to work, and for the necessary relief of the lame, impotent, old, and blind poor not able to work. And the justices are directed to send to the house of correction or common jail such as shall not employ themselves to work, being appointed thereunto as aforesaid.

"It appears," says Mr. Senior, in the article from which we have before quoted, "that the 43d of Elizabeth, so far from having been prompted by benevolence, was a necessary link in one of the heaviest chains in which a people calling itself free has been bound. It was a part of a scheme prosecuted *for centuries*, in defiance of reason, justice, and humanity, to reduce the laboring classes to serfs, to imprison them in their parishes, to dictate to them their employments and their wages. Of course persons confined to certain districts by penalties of whipping, mutilation, and death must be supported; and if they were capable of labor, it is obvious that they ought to be made to contribute to the expense of their maintenance."

The same writer, in speaking of the act of the 12th of Richard II., says: "There is not a clause in the whole act intended to benefit any persons except the employees of labor, and principally agricultural labor, that is to say, *the landowners who made the law*. If the provisions of the act could have been enforced, the agricultural laborers — and they formed probably four fifths of the population of England — would have been as effectually *ascripti glebæ* as any Polish serf."

Unhappily, in England there was no power to oblige the masters to do what their own sense of justice should have prompted. From the Conquest downward the owners of the soil have ruled. The only check at the outset — the royal prerogative — was got rid of. As the divine right of kings faded away, the divine right of lords and gentlemen has gained the ascendency, and now rules, and will rule, until by some means which it is impossible to foresee the avenger of the oppressed shall work out a remedy.

Here, then, are Mr. Disraeli's two nations, one fourth masters and three fourths slaves, entering into a somewhat different relation; the one fourth, as before, the most powerful body of landed proprietors on earth, the other three fourths a helpless multitude, just able, at best, to live from hand to mouth, and threatening at any untoward run of luck to fall an overwhelming burden on their obdurate fellow-countrymen. The sequel of the story is what must necessarily result from the vicious principle from which it set out, namely, that the fourth part, who were the employers, should fix, without appeal, the wages they were to pay to the three fourths, who were the laborers, without the faintest attempt to draw these out of their helpless condition. With this utter contempt of political economy, and with such an outrage on the strongest and finest instinct of our nature, the hope of advancement, with such disregard of one of the maxims of their common faith, that the laborer is worthy of his hire, what could be looked for but what we now witness? We wish to be understood that in saying this we refer to land-owners in their legislative capacity. There have always been in Great Britain a vast number of individuals of the kindest feelings, and in innumerable instances the hard lot of the laboring class has been greatly alleviated by the Christian benevolence of their superiors; but, unhappily, it is little that individual example or influence can do, where a vicious principle is at the bottom of a whole system.

We have seen that this act of the 43d of Elizabeth is to this day the law of the land. To follow its working during these three hundred years would exceed our limits. A more pitiful exhibition, as Mr. Senior has well said, of selfishness, ignorance, and pride was never witnessed, — the selfishness of irresponsible employees, ignorance of the simplest laws of political economy, and the pride of caste. We will, therefore, pass from the year 1601 to the year 1834, — two hundred and thirty-three years. By this time the state of things had become hideous. Mr. Hume (Vol. I. p. 378) says, in describing the treatment of the Anglo-Saxons by their Norman conquerors: "Contumely seems even to have been wantonly added to oppression; and the natives were universally reduced to such a state of meanness and poverty that the English name became a term of

reproach." What improvement has eight centuries produced in this respect? A writer in the Edinburgh Review (October, 1868) will furnish the answer. He is describing the effects of the act of the 14th Charles II., known as the law of parochial settlement: "The artificial congestion within narrow limits brought about a state of things in which that commodity which ought to be the most valued of all things, since it is the foundation of all value, came to be regarded as a superfluity and a drug. Instead of being prized for his strength and skill, the point of view in which the workingman was regarded was that of a possible burden on the rates. In the eyes of parish officers he was a nuisance; in the mind of the land-owner, a bugbear and an expense. To get rid of him, and to saddle another parish with the liability of his maintenance, became a study which all the resources of legal subtlety and chicanery were strained to assist. The frauds and stratagems devised by astute lawyers for the purpose of supporting or resisting orders of removal; the costly litigation to which these contests led, and the reckless inhumanity with which the unfortunate objects of them were bandied about from parish to parish, with less consideration of their dignity as human beings than if they had been part of the animal stock of a farm,—these are among the saddest and most scandalous records of pauperism with which the odious law of parochial settlement is justly chargeable."

From one abuse to another it at length came to pass that the laborers were literally the property of the parish, able-bodied and all. The overseers fixed the rate of wages each man was to receive; they were then let out to the farmers like cattle. If they were not taken, they were sometimes put up at auction, and sometimes stood in a pound awaiting a bidder. One or two samples from Mr. Senior's article we will give: "At Deddington, during the severe winter months, about sixty men apply every morning to the overseer for work or pay. He ranges them under a shed in a yard. If a farmer, or any one else, wants a man, he sends to the yard for one, and pays half a day's wages; the rest is charged to the parish. At the close of the day the unemployed are paid the wages of a day, less 2 *d.*" In the book of Hampton Poyle are the following items: "Paid for men and boys standing in the pound six days, £6 7 *s.* 0 *d.*"

And in every week's payment a list of these laborers, thus: "M. Wheeler, standing in the pound six days, £ 0 8*s.* 0*d.* I. Cartwright, standing in the pound four days, £ 0 6*s.* 0*d.*" This would seem to be the climax of absurdity, as well as of wanton and jeering cruelty.

> Nil habet infelix paupertas durius in se,
> Quam quod ridiculos homines facit.

But we shall soon see a lower depth. In the year 1818 the poor rates had reached the frightful sum of £ 7,870,801, or 13*s.* 3*d.* per head of the entire population. They afterwards fell, but in 1832 had again risen to £ 7,036,969. The alarm became general. Parliament could no longer shut its eyes to the danger. The matter was taken in hand in earnest, and a commission consisting of the Bishop of London, the Bishop of Chester, Sturges Bourne, Nassau W. Senior, Henry Bishop, Henry Gawler, W. Coulson, James Trail, and Edwin Chadwick was raised to consider and report on the subject. These gentlemen devised a plan, which for a time gave hopes that the evil had been checked. The plan was this, — to divide England into unions; to build in each of these unions an immense workhouse, and to oblige every able-bodied person who applied for relief to go into one of these houses. The system was carried on by means of a vast machinery, consisting of a central board sitting at Somerset House, with local unions, also directed by local boards, acting under the supervision of the central board in London. For about four years its success was marvellous. The rates fell from £ 6,317,255 in 1834, to £ 4,044,741 in 1837. But this notable scheme proved, like all that had gone before it, a mere makeshift, — an outward application for a deep-seated malady, "parmaceti for an inward bruise." One or two bad seasons, caused by the potato-rot, swamped the houses. With seven millions of famishing human beings, the workhouses in such a crisis were like a milldam in an inundation, or Mrs. Partington's broom against the Atlantic. The plan has long since been given up, except as a palliative. How far it is deserving even of that praise we shall presently see. In the year 1862 the blockade of our Southern ports plunged the cotton operatives of Lancashire into want and misery. This calamity led to disclosures of a truly

agonizing description. One cannot read without a shudder the letters of the Rev. Mr. Kinsley, who gave as a reason why the district in which he lived should not be expected to contribute to the relief of the distress in Lancashire, that the condition of the suffering operatives in that county was, even then, better than that of the average of farm laborers in the whole kingdom. Again, one of the complaints that was heard oftenest in the discussion of the horrors of garroting and its causes, was that the criminals had no fear of imprisonment, but rather courted it, inasmuch as their condition as prisoners was altogether better than that of the poor but honest laborer who was working by their side on the same premises. This was nine years ago. Let us see how it compares with the actual state of things.

The practice of regulating wages by statute, or by justices of the peace in quarter sessions, which is the same thing, they being always either large landed proprietors or beneficed clergymen, ceased with the year 1725; the last case cited by Sir Frederick Eden is that regulating wages in the county of Lancaster for that year. The style of it is well worthy of the olden time. It runs thus: "The person who gives more wages than is appointed by the justices shall forfeit five pounds, and be imprisoned ten days; the servant who takes more, to be imprisoned twenty-one days. Every promise or gift whatever to the contrary shall be void. We, the said justices, shall make strict inquiries, and see the defaults against these ancient and *useful* statutes severely corrected and punished."

Thus at last fell into desuetude, after an existence of four centuries, a system most selfish, most short-sighted, most demoralizing and iniquitous. It has already been seen that the unfortunate working classes were none the better for its discontinuance. The landlords brought into play an engine more expeditious and more sweeping. Woe to the unlucky laborer who presumed on his rights as a free-born Englishman. The landlord's power of eviction was brought to bear upon him with relentless force. The extent to which this arbitrary power on the part of the great proprietors is exercised would hardly find credit if not so well attested. Mr. Senior, in the article quoted from above, says: "But as the burden of the poor laws was

more and more felt by the landlords, all sorts of devices were resorted to in order to shift settlements from one parish to another. Where a parish belonged to a single owner, or to a few owners acting in concert, the cottages were pulled down, and the inhabitants bribed to sleep in adjoining parishes, under conditions transferring their settlement. We have visited parishes where there was not a house except the squire's mansion and the parsonage, and the whole labor was performed by persons resident in the neighboring villages; where the number of proprietors or the interest of the cottage-owners rendered this impossible, the object was effected by bribing girls to marry men belonging to other parishes, and by apprenticing boys to masters resident elsewhere; and the result was a distribution of the population, without reference to their welfare or their utility."

The article by Mr. Senior, from which this extract is taken, was written in 1841. What was the state of the case in July, 1867, twenty-six years later, when the following statements were made in the London Quarterly Review?

"It may," says the writer, "be proper, before we advert to the disclosures of the commissioner's reports, to take a cursory view of the districts in which this evil originated, and in which it now chiefly prevails; for the origin of 'agricultural gangs' is undoubtedly connected with the physical peculiarities of certain counties and their early social condition. The extensive employment of women and children in rural labor had its rise in two causes: first, in the extensive reclamation of waste lands; and, secondly, in the destruction of cottages, and the consequent removal of the people which inhabited them, rendering labor difficult to procure, and imposing upon the farmer the necessity of obtaining it through the instrumentality of a middle man, who made it his business to supply it *at a cheap rate*, gaining his living by organizing bands of women, young persons, and children, of whom he became the temporary master; and the system is favored by the farmers for its economy no less than for its convenience. . . . .

"In this reclaimed portion of England farm-houses, barns, and stables, sufficient for all the requirements of a prosperous agriculture, were erected. The cattle of the farm were housed in comfort, but no thought is taken of the laboring man, no cottages were built for his accommodation; and as he could not reside on the land where his services were required, he had to submit to the hard necessity of rising an hour or

two earlier than he otherwise would, and of walking, perhaps, miles to his work. On those estates on which the peasant was so fortunate as to secure some humble tenement to shelter him, he was dispossessed of it as speedily as possible, lest he should one day become a pauper and a burden to the parish, and he was driven to find a home how and where he could. This has been particularly the case in Norfolk, where the work of depopulation was proceeding in an accelerated ratio, until the change in the law of settlement put a partial stop to the process. It is a melancholy thing to stand alone in one's country! said the late Earl of Leicester, when complimented on the completion of Holkham. I look around, and not a house is to be seen but mine. I am the giant of Giant Castle, and have eaten up all my neighbors. . . . .

"It is a common practice for the gang-master to carry a stick or a whip, but rather, it is said, to frighten the children with than for use; but the treatment depends entirely upon the disposition of the gang-master. There is no control, or possibility of control, for the children know that remonstrance would be immediately followed by expulsion from the gang; and the parents, having a pecuniary interest in their labor, would but too certainly shut their ears to any complaint. Instances are not uncommon of severe and lasting injuries having been inflicted by brutal gang-masters, and gross outrages, such as kicking, knocking down, beating with hoes, spuds, or a leather strap, 'diking,' or pushing into the water, and 'gibbeting,' i. e. lifting a child off the ground and holding it there by the chin and back of the neck until it is black in the face, are said to be frequent. . . . .

"The temptation of adding two or three shillings to the weekly earnings of the family is generally too great for parents to withstand. Mothers are represented as forcing their children into the gangs, and prefer keeping them at home to placing them in service, that they may farm them out to the gang-master; and it not unfrequently happens that the father is indulging in voluntary idleness at home, while his offspring are toiling in the fields. As it is the interest of farmers that the supply of juvenile labor should always be equal to his demand, they are represented as generally opposed in the gang districts to the education of the poor. . . . .

"It is occasionally the practice of the private gangs to pass the night on the farms where they work; according to one witness, this is a common practice where they go long distances, and they sleep in a barn or stable. A day or two previous to the visit of one of the assistant commissioners to a place in Cambridgeshire, a gang had passed a night on a farm, the gang-master, with his whole party, having been locked up in a granary by the foreman of the farm, with as little thought of the

impropriety of the proceeding as if he had been folding a flock of sheep. Some employers have endeavored to separate the sexes in private gangs, and to limit the age at which children are permitted to work in them; but such efforts have generally been unsuccessful for want of support, or of the means of enforcing their regulations. . . . .

"The want of a proper distribution of labor is the chief cause of the existence of agricultural gangs in the counties to which they have hitherto been confined. The rural peasantry are thus being removed from their parishes and relegated to open villages and towns, and the household condition of the English laborer is becoming in the highest degree deplorable. Whether he shall find cottage accommodations on the estate which he tills, and to which his labor is as indispensable as the influences of the sun and the rain, depends, not on his ability to pay a reasonable rent, but on the use which the owners think fit to make of their property."

Here are the two nations alluded to by Mr. Disraeli, and in what essential particular, except that the weaker cannot be sold openly in the market, does their relative condition differ from that of the same two nations at the moment when the vaunted Magna Charta of Judge Blackstone threw its protecting ægis over every inhabitant of the English soil? The reader who has followed us thus far will naturally ask, But what is to be the end? How is this sickening tragedy of centuries to find its fitting catastrophe? This is the question which now stares the British people in the face, and no more appalling one has ever presented itself to any country. He must be a bold man who shall undertake to point out the means of escape from what seems almost a desperate position. One thing we think, however, may be safely assumed, and that is that no essential progress towards improvement can be looked for while the same body of men hold all the land, and at the same time command solid majorities in both Houses of Parliament. What we now witness is essentially the feudal system of William the Conqueror. The military power of the prince and the royal prerogative have, it is true, disappeared; but the great landed monopoly begun in that day is more powerful now, because more concentrated than ever before. It commands the patronage of army, navy, church, and bar, and pushes its advantage to the utmost. Proof of this is not far to seek. We have not

space to discuss the way in which it is shown in the game laws; but any one who is curious on this branch of the question is referred to the case of the Marquis of Exeter's two sacks of dead rabbits.* On this case the House of Lords sat as the grand court of appeal of the realm, to adjudicate on the construction of a law of their own making; every one of the four hundred and fifty judges, more or less, having as owners of game preserves a direct personal interest in the question at issue, for which he would be subject to challenge as a juryman in any common-law court in England, and yet their decision is perfectly constitutional. What way of escape is there from a state of things so serious? We said just now that the great landed proprietors, though less numerous now than heretofore, are more powerful in the government than ever. Lord Macaulay estimates at not less than one hundred and sixty thousand the number of landed proprietors in the time of Charles II., who, with their families, must have made up a seventh of the whole population, and who derived their subsistence from little freehold estates. The average incomes of these small landowners was estimated at between sixty and seventy pounds a year. About the middle of the last century the whole number of landed proprietors, great and small, was estimated at two hundred and seventy-four thousand. About that time a great change took place. The sudden growth of the trade to the East Indies, and the expansion of the cotton manufacture, raised up a vast number of bidders for landed property. Every nabob from the East, every successful banker, cotton-spinner, and manufacturer, must become a country gentleman at any price. The consequence is that the two hundred and seventy-four thousand land-owners of a century ago are reduced to little over thirty thousand, and Lord Macaulay's class of one hundred and sixty thousand small proprietors has quite disappeared.

M. Louis Blanc has in his letters some remarks on this subject which are so just and so well put, that we transcribe them: "This landed property possesses here an incomparable charm. The golden dream of every Saxon merchant is to be one day classed among the landlords. The manufacturer sighs for the happy moment when he will be able to say, while taking his

* London Quarterly Review, January, 1867, Article *Game Laws.*

morning walk, 'This is mine.' If far, very far from his fatherland, the colonist turns his eye towards her, it is in the hope of returning as a 'country gentleman.' And whence springs this general earth hunger? From the love of lucre? Not at all. There are estates of great extent, recently purchased, which return barely two per cent to their owners, in a country where it is easy to place one's money, and with perfect safety, at four and five per cent. It is, as the Times observes, because land at the present day in England is an article of luxury. This is the whole secret. But there is one point which the Times has omitted to clear up, and it is this, How comes it that where taxation weighs so heavily upon articles of the first necessity, it does not weigh at all upon an article of luxury?" *

The last query of M. Louis Blanc has great significance, as showing the enormous preponderance of the landed interest in Parliament. The Review from which the foregoing extract is taken says: "The amount of the land tax in this country has not materially increased since the commencement of the last century, while in the same period the revenue of England has risen from £ 3,895,204 to £ 70,683,850, and the rents of landlords from £ 9,724,000 to £ 54,678,412. The monopoly of lands is still going on, and beginning to excite apprehension. This is not to be wondered at. All reflecting persons must see that such an immense preponderance of one interest, carrying with it, as it does, the control of the government, is a serious evil."

In order to relieve themselves from the poor-rates, the landlords are encouraging emigration, and with no little success. It appears by the last returns in this country, that the immigrants from England now exceed those from any other country, Ireland not excepted. Those who emigrate are the well-to-do and the able-bodied portion of the peasantry, leaving the aged, the infirm, and the imbecile on the hands of their old masters. In no long time this double process of the monopolizing of land, and escape of the self-supporting portion of the working class, will leave the landed aristocracy with no support anywhere. Something must be done, and that without delay.

* Westminster Review, October, 1867, p. 187.

The remedy must be an heroic one, — no less than the voluntary surrender on the part of the oligarchy of some of its long-cherished privileges. What hope there is that such a measure may be brought about let the uniform experience of mankind decide.

The actual condition of things is the outgrowth of the Conquest. When the villains were turned adrift, there was left the old feeling of caste still operating to keep them in a state of humiliating subjection. At the very time when the present Poor Law was passed, in 1601, slavery, as we have seen, was still recognized by the courts of law, and a stringent act was in force limiting the wages of the laboring class to what it pleased the landlord to give them. The late serfs and their descendants were turned into paupers. This degraded class was on no account to be permitted to raise its head. It was thought better to feed them, as dependent paupers, at the public expense, than to allow them to bring the only commodity they had, their labor, into free competition in the market. It was thought safer to shut them up in their parishes, and dole out to them a wretched pittance, than to give them the chance to work out for themselves an honorable independence. An author of the sixteenth century declares that he looks upon the class of poor artisans and peasants as a disinherited class of men. In accordance with this policy, they were kept in ignorance as well as poverty. It is a most disgraceful fact that the landlords of England have, as a class, uniformly set their faces against any national system of education, avowedly for the reason that it would endanger their supremacy. It now remains to be seen whether they will doggedly adhere to the same narrow policy of class legislation. While the world is awake to the axiom of modern times, "*that property has its duties as well as its rights*," they have brought themselves to sorrow by shutting their eyes to it. They may go on some time longer in the same infatuation. But if they are wise, the landlords will not wait to be driven to the wall. They will take the matter into their own hands before it is too late. They have a task before them which rises above all considerations of party or of caste. Whether they will be equal to the emergency remains to be seen; we trust they will listen to the warning voice of one of their own class, the Duke

of Argyll, which, in conclusion, we heartily commend to their thoughtful consideration. In the volume entitled "The Reign of Law," under the seventh head, "Law in Politics," is this paragraph: "The epoch of conquering races destroying the governments and reconstructing the populations of the world is an epoch which has passed away. Whatever causes there may be now of political decline are causes never brought to such rough detection, and never ending in catastrophe so complete. Yet in modern days a condition of stagnation and decline has been the actual condition of many political societies for long periods of time. It is a condition prepared always by ignorance or neglect of some moral or economical laws, and determined by a long perseverance in a corresponding course of conduct. Then the laws which have been neglected assert themselves. In the last generation, and in our own time, the Old and the New World have each afforded memorable examples of the reign of law on the course of political events. Institutions *maintained against the natural progress of society* have foundered amid fanatic storms. Other institutions, *upheld and cherished against justice and humanity and conscience*, have yielded only to the scourge of war."

EDWARD BROOKS.

ART. VI. — PIERRE BAYLE.

PIERRE BAYLE was born in 1647, in the days of Mazarin and the Fronde. He saw the rising of the sun of Louis XIV., its meridian splendor, *nec pluribus impar*, and its disastrous setting at Blenheim and Ramillies. In English history his life extends from the execution of Charles I. through the reigns of Cromwell, Charles II., James, William and Mary, to Queen Anne. He belongs to the most remarkable century the world has seen since the one we date from, — a century that has on its muster-roll such names as Galileo, Kepler, Newton, Bacon, Descartes, Spinoza, Locke, Leibnitz, Shakespeare, Cervantes, Molière, and many more who would have been giants in any other company. A century of great changes as well as of great men, it bridges

the passage from mediæval to modern times. All the nations were in a turmoil with wars, revolutions, persecutions, and bitter theological disputes, — a period we recommend to the notice of newspaper reporters and speech-makers, who "always take their hats off when they allude to this century," and cant in a sad yet boastful tone of the terrible mental strain and excitement of our times.

It was in the fifteenth century, when Copernicus took the earth from its fixed position in the centre of the universe, and sent it whirling through space, that the series of events began which unmoored society from its anchorage of a thousand years, to drift we do not yet know where. How wonderful these events seem if we try to detach them from their somewhat musty association with the primers and readers of our school-days. De Gama and Columbus triple the size of the world; Gutenberg or Faust make a new world of ideas easy of access. A new form of doctrinal and practical religion is introduced, thanks to their invention, for it was printer's ink Luther threw at the Devil. Of course, neither the ideas nor the men that had satisfied the wants of half a hemisphere were sufficient for the entire globe. The social equilibrium was disturbed as well as the moral. A rebellion commenced against tradition and authority, that has lasted three hundred years. It is tolerably accurate to say that the sixteenth century undertook to overthrow authority in religion; in the seventeenth, the attack was on authority in philosophy; in the eighteenth, on hereditary government and rank. There are symptoms that capital, or rather property, may be the object of the campaign of the nineteenth. When property is put down, the aggressive movement will be complete, unless we should think it necessary to abolish education, talent, and character, and proceed, as the late M. Proudhon phrased it, to the liquidation of society. Meantime we may consider that this great rebellion is triumphant with us, for authority is held in no respect whatever if it interferes with the wants, wishes, or even whims of the noisy part of the public. Rogues set civil laws at defiance with impunity; fools ridicule the laws of nature and of science, or pretend to think that conditions peculiar to themselves will, in some inexplicable way, upset all past experience; and, unluckily,

these rogues and fools generally belong to the class of "prominent men" who govern the country.

In the seventeenth century the new tide in the affairs of mankind ran very swiftly. The old manners, habits, and beliefs yielded rapidly to our modern ways. Trade brought with it new luxuries and new wants, and was recognized as one of the most important affairs of state. The nature and function of money began to be understood. Gold, the great stimulus to exertion and enterprise, poured in. The steady advance in prices changed the relative conditions of life. Wealth, easily obtained, attacked the exclusiveness of birth; cheap books, the exclusiveness of the learned.* The coarseness and rustic brutality of the civil wars gave place to mildness and civility, — *à une douceur et civilité extrême*. After 1675 Bayle said, "We live in a *siècle philosophique*." There was a general awakening of the mind; a delight with the wonders already accomplished, and a lively hope of greater wonders to come; a millennial feeling such as sprang up again in the first days of the French Revolution. At both periods enthusiastic philosophers, carried away by the rapid progress of science, believed that some means would yet be discovered to prolong human life indefinitely.

Bayle was educated under the old system, but lived to learn a new philosophy, a new science, to enjoy a new literature, to adopt new customs, new manners, a new dress, and even a new diet.†

We have come to consider novelty so good a thing in itself, irrespective of its merits, that it is difficult to imagine a period when ninety-nine men out of a hundred thought alike and had inherited their thoughts. Beliefs had been bred-in and become instinctive. Scholars yielded with a childlike submission to the *dicta* of a dead master. If the great Albert or the angelic Thomas had said that black was white, black *was* white, and there was an end of it. True to this feeling, the conservatives

* A Spanish lady of rank complained that any low fellow might have the beautiful thoughts of Gratian for a crown. — BAYLE'S *Nouvelles*.

† Turnips, carrots, parsnips, green peas, did not come into use until the middle of the seventeenth century. So with coffee, chocolate, and tea. "1660, 25th Sept. I did send for a cup of tea, a China drink of which I never had drank before." — PEPYS, Vol. I. 110.

resisted fiercely every innovation. "Who are you who pretend to know more than your ancestors?" shouted the old physicians when the new school proclaimed Harvey's theory of the circulation. "Shall we suffer practitioners of three days' standing to insult the old doctrines and drive us out of a possession of a thousand years?" The doctrines of Aristotle, as interpreted by them, had been so interwoven with the doctrines of the Church, that to doubt him on any point was heresy. The study of nature and meditations on the mind were perilous if resulting in new views. Astrology was more orthodox than astronomy on the Copernican system. Severe penalties impended over the heads of students who broke with the old beliefs. In 1624 the Parliament of Paris decreed death to all who should teach maxims opposed to Aristotle and approved authors. Thirteen years later Descartes thought himself safer in Holland than in France. Even in Holland he was obliged to seek the protection of the local magistrates and of the French ambassador against the violence of Voet, a bigoted Protestant professor and preacher, who also thundered against Harvey's theory as irreligious. In 1656 Pascal wrote of the earth as the centre of the universe, although he knew that Galileo was right. Even in 1683 the comedian Reynard says that the Copernican system was considered heretical in Paris; and still later, Leibnitz forgot himself so far as to speak of the Newtonian theory as immoral. But why should we wonder? Even in our enlightened era, philosophers, when they find their arguments too feeble to upset the positions of a rival, have recourse to the "logic which is not of this world," and pronounce them wicked. Darwin is met with the charge of atheism, and geologists lecture with Genesis suspended over their heads by well-meaning people with more zeal than wisdom. And so it will be to the end. When we were told, "the poor ye have always with you," deficiency of intellect was meant quite as much as lack of goods. But science cannot be put down; it will move in spite of the Church, and the ground it once has occupied it never loses. The Académie des Sciences was established in 1666; the Royal Society, a year or two earlier. About the same time the "Journal des Savans," first-born of scientific journals, was published: it is still in existence. The

movement party was full of energy, and had the hearty assistance of the author and the *bel esprit.* Molière ridiculed the old school, who, like the *Malade Imaginaire* when he took his degree in medicine, swore,

> Essere in omnibus
> Consultationibus,
> Ancieni aviso
> Aut bono
> Aut mauvaiso.

A great point with the new school was to introduce science to the *gens du monde;* "to rub off the rust of pedantry and replace it by an attractive varnish of liveliness and elegance." Scientific treatises were written in French instead of Latin. The Abbé Gérard composed a philosophy for the use of persons of quality. Fontenelle's Plurality of Worlds is one of the earliest efforts to make astronomy interesting to the ordinary reader, and one of the most successful. It is still pleasant reading, and not the less so because it is based upon Descartes' theory of *tourbillons.* This was the beginning of the "popularization" of science (the word is theirs). We have seen the movement reach its vulgarization. At a time when research is more active and sound than ever before, the public is fed with a mixture of science and water, too weak to afford substantial nourishment, which has made a great many minds rickety, and peculiarly susceptible to attacks of spiritualism or any other epidemic of folly that may be going about.

Another inherited weakness of the seventeenth century was a love of subtlety in argument, often only ingenious and idle quibbling. Dialectics were to the scholar what fencing was to the gentleman, a pleasant and exciting exercise, becoming his station in life, enabling him to gratify the excessive pugnacity of the period. The doctors of the sixteenth and seventeenth centuries, like the knights in the Morte d'Arthur, never met without a tussle. "Sir Knight, make thee ready to joust with me," and they went at it in earnest, "tracing and traversing full mightily and wisely," while the learned made a ring and passed critical judgment upon the strokes. The religious history of the seventeenth century is full of these personal encounters, some of them in open lists, in the presence of great ladies. De

Retz relates in his memoirs a theological passage of arms, in which he engaged Mestrezat, the minister of Charenton, before Mme. de Rambure, Turenne, and other distinguished people. In 1678 Claude and Bossuet, each the champion of his sect, disputed on the authority of the Church before Mlle. De Duras, and Claude refuted Nicolle's tract on Transubstantiation, at the request of Mlle. De Turenne. In these oral discussions there was some courtesy and respect shown, but when theologians attacked each other with the pen the fight was merciless. "Theologians never bite without taking a piece out," said Bayle; "Cain killed Abel in a religious quarrel." After the Thirty Years' War the theological controversies of Western Europe equalled in violence the contests of the monks of Constantinople in the fourth century. This moral epidemic raged through the seventeenth century. There was so much feeling in the strife, that invective became the favorite method of reasoning. "The Pope 's the whore of Babylon," and "Calvinismus bestiarum religio," are specimens of the arguments commonly employed. Bayle suggested that "to use abuse in ordinary controversy was a kind of sacrilege; it was robbing the Church." Arminianism, Jansenism, Quietism, and, above all, persecution, had kept up the stock of "saints of the old-time enthusiastic breed." After the Revocation of the Edict, Holland swarmed with refugees of every shade of opinion, and buzzed like a hornet's-nest with angry controversy. In 1684 Bayle writes that books of theology sell better than any others. "There are as many as twenty editions of some of them; I do not think that Molière's comedies or the satires of M. Despréaux will ever go as far." This doctrinal animosity appeared in every act of life. "You can tell the sect of a grammarian from the very rudiments of his grammar"; and Bayle advises in some pamphlet "each Protestant prince to get a Protestant astronomer to recommend the change of style which they would have adopted long since had not a Pope been the author of it." The temper of the times was affected; scientific and literary men were almost as bitter as theologians. Like the Homeric heroes, they considered abuse a becoming prelude to battle. Even when the match began in play it ended in bad blood and bad words. The *vir celeberrime et eruditissime* of the first

interchange of pamphlets became a fool, a villain, and an atheist before the last surrebutter was put in. One is reminded of Chucks, the boatswain, in Marryat's "Peter Simple," who always began a reproof to his sailors with, "My dear man," and ended with, "Take that, you d—d haymaking son of a sea-cook." Bayle himself, the most moderate of men, but the ablest dialectician of his day, wore the champion's belt and was daily challenged to fight for it. In his room at Rotterdam, "chez Mlle. Wits sur le Schepesmaker's Have," he sat like Goldsmith's porcupine, "self-collected, with a quill pointed against every opposer." The day before his death he sent to press a pamphlet aimed at Le Clerc, and spent the evening on a reply to Jaquelot. When we think that these seventeenth-century combatants hurled folios at each other, we must admire their vigor and endurance.

> "Not two strong men th' enormous weight could raise,
> Such men as live in these degenerate days."

All, or very nearly all, of them are dead books now, — *des livres qui ne parlent plus*. We of the nineteenth century look at these huge dark brown folios buried in the dust of libraries as we look at the relics of a mastodon, and wonder what kind of men

> "Explored the deeps and shallows of the pen"

in that era. But the mammoth age of literature was then passing away rapidly. The epoch of the folio was soon to be overlaid by a new formation. The newspaper, destined to destroy it, had come into existence in 1631. Fifty years after, Bayle writes of the author of some big volume: "How can he expect to get readers in a time when one can hardly read all the mercuries, journals, and news-letters that swarm in booksellers' shops every day?" A new literature sprang up in France, and came to maturity as rapidly as the vegetation of an arctic summer. In his boyhood Bayle had little to read in French but Montaigne and Plutarch. Descartes had published his "Méthode" at Leyden in 1637. His simple, clear, manly style was as great an innovation as the philosophy it set forth. Corneille's Cid was played about the same time. In 1656, when Pascal wrote the first provincial letter, the "Vieux Gau-

lois" had given place to modern French. Within thirty years after the publication of Pascal's famous pamphlets, the French authors had become for precision, polish, and neatness of finish the foremost literary workmen of the world, — a distinction they may still fairly claim. The taste for books had kept pace with the increase of good ones. It was the fashion to be a *bel esprit* and a critic. The Grand Monarque was, perhaps, the only gentleman in France who would have asked, "A quoi sertoil, — il de lire?"

Bayle made his first appearance before the public two or three years before the revocation of the Edict of Nantes. On the 9th of July, 1681, orders were issued to close the Academy of Sedan, — one of the four Protestant academies of France. When Sedan was ceded to France, all their existing rights and privileges were guaranteed to the Protestants forever, and Louis XIV. had solemnly renewed the treaty. But his confessors and his infirmities had persuaded him to abolish a religion *qui lui déplaisait*, and to make the Protestants do penance for his sins; and the Academy of Sedan, in spite of the *foi et parole de roi*, was the first that fell.

Bayle was Professor of Philosophy. Deprived of his means of subsistence, foreseeing that evil days were approaching, and doubly uneasy as a *relaps*, a relapsed heretic, he looked about him for a refuge. The governor of Sedan offered him great temporal advantages, if he would again change his faith. But on that point, at least, Bayle seems to have never doubted but once. He was thinking of England, when an offer reached him from Rotterdam. M. De Paets, a councillor of the city, brother-in-law of Cornelius de Witt, and head of the party in Rotterdam opposed to the house of Orange, was desirous that his country should get the benefit of the learning, talent, and honesty France was so foolishly throwing away. He proposed to establish a university, to be called the École Illustre, and offered Bayle a professorship, with five hundred florins a year salary. Bayle accepted the offer, and remained in Rotterdam until his death. He gave the burgomasters some trouble and uneasiness, but it is doubtful if they ever regretted having called him to their new school, for his name was soon famous

throughout Europe. He became the President of the Republic of Letters, as Erasmus had been in the same city one hundred and fifty years before him, as Voltaire was at Ferney fifty years later; a position similar to that held by Humboldt in science in our time.

Des Maiseaux, a Huguenot who emigrated to England, literary executor of Saint Evremond, a man of letters of the same type as Jeremy Bentham's Genevese, M. Dumont, published in 1729 a life of Bayle in two volumes. "Elle ne devait pas contenir six pages," Voltaire said of it. It is a dull summary of his works. Bayle's writings are his life. He moved and had his being in books; and his mission in this world was to be the father of reviewers, and to write the "Dictionnaire Historique et Critique," a book unique of its kind, the like of which had never been written before and never can be again, — a book that, like Plutarch's moral works, will always be valued as a sort of literary curiosity-shop, in which all the odd fancies and speculations, the scientific theories, the superstitions, customs, stories, and mental *bric-a-brac* of the seventeenth century, can be found, as well as the views of one of its keenest minds on science, philosophy, politics, and religion. After Bayle's time learning became too extensive and varied for the grasp of one mind; but at the end of the seventeenth century it was still possible for such a man to know all that was worth knowing, and it is doubtful if there was any subject of interest then existing but what Bayle "had an honest sight in it."

His one passion was study; his only ambition, to read and to write in liberty. "Plays, pleasure-parties, games, collations, excursions into the country, visiting, and the like recreations, necessary to many students, as they say, are not in my line. I waste no time in that way. Neither do I waste time in domestic cares, nor in trying for place or for favor, nor in any such matters." Like Newton, he had not the time to get married. Soon after his arrival in Holland, when he was thirty-five years of age, a match was proposed to him by his friends, with a lady young, handsome, of good sense and good temper, with fifteen thousand crowns in her own right, who had no objection to become Mme. Bayle. He declined, giving

as a reason that his happiness was in study and meditation, and that the cares of a family were inconsistent with the pursuits of a philosopher. As to money, he had enough for his daily expenses; more he considered useless. On this view of life he acted, and succeeded, as literary men generally do, in obtaining a large share of pleasure and content. "I have had a leisure as delightful and as complete as any man of letters could wish for; and this appears to me to be preferable to anything else."

He was born in the South of France, the son of a Huguenot minister. A delicate, precocious boy, his reading seems to have been desultory until he began his "logic" at twenty-one, and entered the Jesuit college at Toulouse. It was not unusual for Protestants to send their boys to Catholic schools. The fathers made the most of their opportunity, as may be seen from this entry in his "Calendarium": "1669, 9th March. Change of religion. Next day I took up logic again." Logic seems to have done its work, for soon after we find this: "1670, 21st August. I returned to the reformed religion." As it was dangerous to change one's mind on this question in 1670, he fled to Geneva the same day. His conversion and his reconversion, like the similar experiences of Chillingworth and of Gibbon, seem to mark the period of mental development when Romanism is a satisfactory religion to a man of sense and character who thinks for himself.

While earning his bread as a private tutor near Geneva he studied the works of Descartes, and adopted the new system of philosophy. Three years later he went te Rouen, where his friend and fellow-student Jacques Basnage had got him a place as tutor, and in 1675 he was in Paris teaching two unruly boys for two hundred francs a year; moderate pay, it seems, even at that time. Bayle liked the capital. It was the only place, he thought, for a man of letters to live. The society of the learned, the public lectures, the libraries, delighted him; he also mentions, with approval, Poussin's pictures, Mlle. Rochonas the actress, and a certain *potage de Talbot*. But his enjoyment of these good things was marred by his position. "I am sunk in a slough," he wrote to Basnage; "no personal merit can save a tutor from general disrespect." Basnage

came again to his assistance. He was finishing his theology at Sedan. The professorship of theology was vacant. Basnage, with the assistance of the Professor of Theology, the Rev. Pierre Jurieu, obtained the place for Bayle, who filled it with the general approbation, until the academy was closed. Bayle repaid Jurieu by recommending him to M. De Paets for a professorship in the École Illustre.

Bayle and Jurieu became the Eteocles and Polynices of literature. If fifteen years later they had been burned at the same stake, — an event which might have happened had they fallen into the hands of the French priests, — the flames would have separated into two forks, as in the Theban myth; but at this time they were fast friends. Bayle "honored and admired M. Jurieu," and his *grandes et incomparables lumières;* and Jurieu confessed, in the hottest moment of their subsequent feud, that he had loved Bayle more than he had ever loved any other man.

The world soon heard from the new professor of Rotterdam. A comet of unusual size had appeared in 1680. That comets portended war, pestilence, and danger, especially to the great,* was a universal superstition. Bayle wrote "Thoughts on the Comet," to show the absurdity of this notion, not on merely scientific grounds, because "there are so many good souls to whom the soundest philosophical arguments are as suspicious as the allurements of the play-house," but for theological reasons. "Comets have always existed, they were seen by the idolaters; if miraculous now they were miraculous then; consequently, God performed miracles to strengthen idolatry." His main argument suggested all manner of disquisitions on almost every topic. Among others, this point was made, which he might have found in Bacon's Essay on Superstition: "Is not the idea of no God better than the wicked, incestuous gods of the heathen? Would not God prefer that the world should remain ignorant of him rather than it should be abandoned to the abominable worship of idols? Has atheism anything to do with moral conduct? Has an unusual event any significance as a miracle, unless accompanied by the word?" The book was full of a good sense unusual at that day in such mat-

* "When beggars die, then are no comets seen."

ters. It ridicules all presages and omens, lunar influences and eclipses, unlucky days and unlucky numbers, and especially astrology. "The general belief in this folly makes one mistrust the soundness of public opinion." It was also noticed for its lively, attractive style. Bayle dropped the pedantry and magniloquence which had so long been the fashion in the treatment of serious subjects, and presented the public with a novelty, — "an author who wrote as everybody talked."

The "Thoughts" were published anonymously as the work of a Roman Catholic, and the style was carefully adapted to the character. Bayle then and afterward took great pains to conceal his authorship by ingenious prefaces, changes of manner, and by employing different printers. "I have always had a secret antipathy to put my name to a book," he wrote in the Preface to the second edition of his Dictionary, "and reflection has strengthened my natural inclination." The Protestants, including Jurieu, were pleased with the "Thoughts," for it was easy to see that by idolaters Bayle meant the Catholics. In a short time it became generally known that he was the author of it.

Maimbourg, a French ecclesiastic, had published a History of Calvinism, very offensive to "those of the religion." Bayle wrote a "Critique Générale" of it. The great learning shown in this treatise, and its lively wit, attracted universal notice. It was attributed to Claude, and was so much relished in Paris, that Père Maimbourg, smarting under the attack, had recourse to the temporal arm, and obtained a decree that the "Critique" should be burned by the hangman, and that any one who should print, sell, or circulate it should suffer death. The minister of police obeyed the order, but took care to have a copy of it posted on every street corner in Paris, and all who could read the advertisement managed to read the book.*

In 1684 Bayle began the "Nouvelles de la République des Lettres," a monthly record of new books, new inventions, new discoveries, intended for the general reader as well as for the

* Jurieu also wrote an answer to Maimbourg, full of the old stock arguments against the Catholics. But Jurieu's book *was not burned.* Ménage said, in his "Ana," that Bayle's book was written by an *honnête homme,* and Jurieu's by a *vieille de prêche,* a fanatical old woman.

learned one, — the first specimen of the class of serials known as Reviews. Bayle was a born journalist and reviewer. He had the art of condensing the essence of a book into a few pleasant words. His learning, his fairness, his sense, his vivacity, and a certain modern feeling in everything he wrote, made his monthly the delight of the educated class. "A charming thing," Benserade wrote him, "for lazy people to read your opinions of books." The "Nouvelles" seem to have been the great literary sensation of the period. The Académie wrote a formal letter of congratulation to Bayle, assuring him that there was but one opinion in that body as to his merit, and the Royal Society elected him a correspondent and sent him Willoughby's "Natural History of Fishes," as a mark of their respect.

The Jesuits of Toulouse now learned what had become of their renegade pupil, and took steps to punish him by trying to convert his brother, a quiet Protestant minister residing in his native village. The principal argument they used was a dark and damp dungeon in the Château Trompette at Bordeaux. Young Bayle died in it of cold, foul air, and insufficient food. This and a hundred instances of cruelty equally infamous, and the crowd of wretched exiles who poured into Holland to escape torture and the galleys, excited Bayle's horror of bigotry. He wrote a passionate pamphlet in answer to the clerical boast, "that France was all Catholic under Louis the Great." In it he catalogued all the mean, malignant, and hypocritical atrocities the Catholic party had been guilty of, and held all Catholic Frenchmen responsible for them. Persecution was the most certain article of faith of the Catholic Church. "Could they prove any other half as well by tradition, there would be no answering them." He warned them that their success would prove to be a triumph for Deism rather than for the true faith. This was soon followed by a book on toleration. He took for a title the text from St. Luke, always in the mouths of the persecutors, *Compelle entrare*, "Compel them to come in." Toleration is an old doctrine, one that suggests itself to the weaker party; but toleration at that time meant, "*We* ought to be tolerated, but no one else." Heresy was crime with Protestants as well as with Catholics. The Calvinists longed to persecute the Arminians and the Socinians. "Persecution,"

said Bayle, "is the *ultima ratio* of theologians." "To burn a heretic is the only point on which all theologians agree." Bayle took ground that even now we hold in theory rather than in feeling. He insisted upon the innocence of honest error, the rights of a mistaken conscience, and universal toleration even for Jews, Mahometans, and Pagans. "A correct life is of more importance than a correct belief. The best creed will not save the soul from damnation if its deeds have been evil." Both these books were published under an assumed name and character, and noticed in the "Nouvelles" as the work of a stranger.

Jurieu was violently opposed to universal toleration and the "indifference of creeds." He immediately wrote an answer. "Such a doctrine," he said, was "pernicious," "a conspiracy against truth." He was "distressed," "struck to the heart."

If the mother of the Regent Orleans was right in saying that everybody was sent into this world to torment somebody else, Jurieu's mission must have been to torment Bayle. A coolness had existed between them since the success of the "Critique" on Maimbourg; it gradually grew into an enmity so fierce and vindictive on the part of Jurieu, that Sainte-Beuve has suggested as an explanation that Mme. Jurieu may not have shared her husband's antipathy to Bayle. But this hypothesis has no facts to sustain it; it is based only on certain *a priori* principles which seem implanted in the French mind.

Bayle was known to have been a man of the purest life, and not fond of the society of women. Jurieu was ten years his senior, and full of energy and fire. Imperious, irascible, quarrelsome, and violent as Achilles, he considered himself the Bossuet of Protestantism and the successor of Claude as head of the Refugees. He was one of those lucky men who know that they are always right. His cause was God's cause, his enemies were false to their Creator and traitors to the state. Boileau's verses were applied to him with justice, —

> "Qui n'aime pas Cotin, n'estime pas son roi
> Et n'a selon Cotin, ni Dieu, ni foi, ni loi."

Although an enthusiastic Calvinist, his impatience of contradiction led him to catch up any argument that might do service; he was accused of reasoning from hand to mouth, and even laid

himself open to the charge of rationalism. With all, a popular preacher and so voluminous a writer that men wondered how his admirers could find time to read all that he wrote.* Unlike the better class of Protestant ministers who followed the conservative example of Calvin in politics, Jurieu was a republican, bitterly opposed to Louis XIV., and devoted to William of Orange. He maintained the right of rebellion, proclaimed the sovereignty of the people, and ridiculed passive obedience and the divine right of kings. His *lettres pastorales*, of which great numbers circulated in France, encouraged the Huguenots to open resistance. He is supposed to have been instrumental in exciting the Camisard war in 1698. He had resided in England and made use of his acquaintance with persons and parties there to write against Charles II., and to stir up the French emigrants against James. Careful study of the mysteries of the Apocalypse had led him to announce that in 1689 the persecution of the Reformed religion would cease in France, and that the refugees would be restored to their privileges and possessions. Prodigies and miracles attested the truth of his prediction. "In the Cévennes and in Béarn angels had been heard to sing psalms in the air; in Dauphiné a shepherdess in a trance had uttered excellent and divine words, announcing the approach of the deliverance from bondage, and the spirit of God had fallen upon many young children in the like manner." 1689 passed and his prophecies were not fulfilled. He then preached war, and predicted that the time was near when the exiles should re-enter France, sword in hand, as the Waldenses had marched back into Savoy, and, nothing daunted by his repeated prophetic failures, he announced the fall of antichrist and the millennium for the year 1715. Like most noisy, fanatical, one-sided men, he had great influence with the lower classes and with the political party for whom he preached and pamphleteered unceasingly. It was asserted by his friends that the French government had tried to kidnap him, and this added greatly to his popularity. After the death of De Paets,

* He left sixty volumes. Jurieu was often a clear and forcible writer. His "Soupirs de la France Esclave" was republished in the first years of the French Revolution as the work of a patriot. His "Histoire Critique des Dogmes" is still spoken of by theologians.

Bayle's patron, the Orange and anti-French party ruled in Rotterdam.

Bayle, on the other hand, had not a spark of the *feu ardent et sombre* that makes the enthusiast. He had "an eye for both sides," and saw too many weak spots in both to feel certain that either was entirely right. And Bayle was a thorough Frenchman at heart. Like Montaigne, Pascal, Hume, and Gibbon, sceptics as well as himself, he preferred monarchy to government by the people. The strongest dislike of which he was capable was for intolerance, bigotry, and dogmatism. These cardinal vices he found as fully developed in his fellow-exiles as in the Catholics. The conflict was never fiercer between the two parties than in 1690. It was political as well as religious. The Allies were making war against France. Libels on Louis XIV., as well as against the Papacy, swarmed in Holland. Jurieu and his followers would tolerate no opposition. "If you want to respect your religion," Bayle writes to a friend, "stay where you are. You will be a much better Protestant if you only see our religion where it is persecuted. You will be scandalized if you see it where it rules." "God keep us from the Protestant inquisition."

In the midst of this tumult appeared a pamphlet, "Avis aux Refugiés," written apparently by a Catholic in France,—a letter of warning and advice addressed to his countrymen in Holland. The writer, after ridiculing Jurieu and the non-fulfilment of his prophecy for 1689, told the refugees that "if they ever hoped to come back to France they must undergo a quarantine before entering the country to purify themselves from the foul atmosphere of Holland, which has infected them with two dangerous and odious maladies,—the love of libelling and the love of republicanism, or, in other words, anarchy, the greatest curse that can befall a nation." "Libelling was a note of heresy in itself. The 'social contract' meant rebellion. The Protestant religion provoked and encouraged rebellion. England was an example. It was well that France had been purged of these seditious disturbers of the public peace, who were all ready, if it served their turn, to place the reins of government in the hands of the *canaille*."

The "Avis" exploded like a bombshell among the refugees.

It was considered "the most pernicious writing that had appeared against them since the Reformation." It was attributed to Pellesion, to La Roque, and among others to Bayle. Bayle denied it. In 1691, when the "Avis" was nearly forgotten, Jurieu suddenly accused Bayle of having written it, and ordered him to leave the seven Provinces. "Bayle was always the defender of James II.; he had no *amour de Dieu*, his only divinity was Louis XIV." "He was the enemy of Holland and of true religion." "As I have not the power to punish M. Bayle as he deserves, I will, at least, hold him up to infamy." He tried to move heaven and earth, synods and burgomasters, to do more. But Bayle stood to his denial, and Jurieu's efforts came to nothing, when suddenly fortune placed a new opportunity in his hands.

There was in Geneva one M. Goudet, a Colorado Jewett of the period, who had devised a plan for the pacification of Europe, and a redistribution of territory among the powers. Among other alterations of the map, King James, who was "unattached," was to reign over Palestine, with Jerusalem for a capital; France was to have Egypt and the island of Rhodes; and forty thousand Swiss were to be provided for at six hundred thousand crowns a year, as the army and police force of all Europe. Goudet requested Minutoli, a friend and correspondent of Bayle, to submit the plan to him and to a few other eminent men in Holland. Bayle looked at it and wrote to Minutoli that neither he nor his friends thought well of it. By some accident a manuscript copy fell into the hands of a book-dealer, who printed it. Jurieu read it, and at once proclaimed in his loudest tones that a cabal existed in Holland, a French faction determined to make a peace advantageous to France; that Bayle was the head of the conspiracy; he had written the "Avis" to prepare the public mind; that he, Bayle, was "an enemy to religion, a traitor to his fellow-refugees, and to the state that protected him, and worthy of public detestation and of condign punishment." Here was a very serious charge. To meddle in affairs of state was a dangerous business, and the Orange party, who were opposed to peace, were all-powerful in Holland. Bayle at once laid his denial before the Grand Bailli of Rotterdam, and asked for an investigation, offering to abide the

result in prison if Jurieu would do the same. Meantime he wrote the "Cabale Chimérique." "Jurieu had discovered a mare's nest; he contradicted himself; his accusations were as absurd as they were false; he had made them only because I will not believe his ridiculous prophecies, his false miracles, and his pretended revelations."

Jurieu, stung to the quick, appealed to the burgomasters for protection against the insults of Bayle; the judicious burgomasters begged them both to keep quiet and to make it up. But neither would keep quiet. Jurieu wrote and preached; and Bayle, worried by calumny and misrepresentation, lost patience and dignity, and insisted upon answering him. The feud went on until Jurieu found a way to strike a blow that could not be parried. He laid his charges before King William, who was the more ready to believe them on account of Bayle's old intimacy with De Paets, and the magistrates of Rotterdam were directed to displace the Professor of Philosophy, and to stop his salary of five hundred florins.

The Comte de Guiscard at once offered him one thousand florins a year, with a guaranty of full liberty of conscience, if he would return to France and undertake the education of his son. Bayle refused this offer and others, among them £ 200 a year from Lord Huntington. He had enough for his simple wants, and his time was fully occupied with the Dictionary. The first volume was published in 1695. Jurieu made the Dictionary the occasion of fresh attacks. He cited Bayle before the consistory of Rotterdam for his article on Pyrrhonism, on the Manic Laws, on David and Sarah, and for certain obscenities (*reflexions galantes*, Bayle called them), that disfigure the book. In this defect Bayle resembled Swift and Pope, — men of the most correct lives, like himself. Jurieu also complained of passages personally offensive. The consistory, after much urging, advised Bayle to suppress these passages, and to make various changes in other articles complained of. He consented to do so in the second edition; but his publishers printed the suppressed matter in foot-notes, and in the third edition it found its way back into its former position.

The difficulty of reconciling the existence of evil with Divine goodness, which Bayle has treated so fully in the "Mani-

cheans," led to a long and fierce controversy with Le Clerc and Jaquelot, both distinguished ministers of the Refuge. La Clerc attempted to explain the mystery with Cudworth's Plastic Nature, and Jaquelot made use of Origen's doctrine of the final restoration of all souls to happiness. Bayle demolished them both. It is said that Le Clerc and Jaquelot, instead of praying, like St. Ambrose in his controversy with Augustine, "for strength to break through the cobweb of his sophistry," held rather to the opinion of St. Jerome, that certain arguments are to be answered with blows, if reasons prove ineffective. They are suspected of having allied themselves with Jurieu to repeat in England the accusation against Bayle of sympathy with France. The old charges were urged upon Lord Sunderland with so much pertinacity, that he had determined to order Bayle's expulsion from the Provinces. It was solely owing to the interference of Lord Shaftesbury of the "Characteristics," that he was permitted to finish his life in his home. "The Republic of Letters," he said sadly, "has become a *pays de brigandage*." He died in December, 1706. After his death his great reputation increased. For the next fifty years the Dictionary was the *lecture des honnêtes gens*, — "a library in itself to most people." Frederick the Great called it the "Breviary of Good Sense." In his Essay on France, Goldsmith introduces Dr. Johnson, who asks leave to put his Lexicon in the "Fame Machine," or omnibus. The driver refuses to take it. "I have driven this coach, man and boy, these two thousand years, and I do not remember to have carried but one dictionary during the whole time." All of Bayle is in this Dictionary, even his quarrels; and the Dictionary, he said, could have been put into one volume if he had written for himself and not for the booksellers. Possibly, if he had lived in the same set with Boileau and La Bruyère, but the condensation and polish of Paris was not found in Holland. All the exiles have what Sainte-Beuve calls the *style refugié;* and Bayle was diffuse by nature and fond of rambling disquisitions. To the modern reader much, if not most, of the value of his book lies in his curious anecdotes, his historical investigations, and his shrewd criticisms; for, as he said, "it is not what has happened, but what people say of what has happened," that is

interesting. But to his immediate successors all this was useless lumber, swelling the size of the book to no purpose. As Bayle had predicted, Deism and liberalism sprang up and grew in strength, until they ended in the atheism and anarchy so thoroughly expressed in the well-known verses,

> "Et des boyaux du dernier prêtre
> Serrez le cou du dernier des rois."

The bigotry and cruelty of the Catholic party, and the close alliance between Church and State, made Christianity itself odious to the progressive. What with Bayle had been a friendly trial of skill in dialectics was war to the knife with them, and *écrasez l'infâme* their cry. In the Dictionary they found everything that could be said on atheism, deism, the Christian dogmas, and the various heresies. Freedom of the will, original sin, existence of evil, justification, and grace, "that ocean without soundings or shore." It was an arsenal of weapons ready made to their hands. They placed Bayle on a pedestal and worshipped him. He was "le judicieux Bayle," "l'éternel honneur de la raison humaine," "un des grand hommes que la France a produits," "qui a éclairé le monde et honoré sa patrie," etc., etc. Yet Bayle had not given judgment in their favor. He took care never to offer his opinion on these vexed questions. He only said, "Here is what seems to me a difficulty," or, "I suggest this objection merely as a problem to be solved." His position was this: "Whichever side you take in controversy on religious dogmas, you will come upon insurmountable difficulties. You cannot shut one door, without leaving another open. With sixteen centuries and one hundred thousand volumes before you, you can maintain or deny whatever you please. Who is to decide on the interpretation of Scripture? The Fathers, like the gods in the Iliad, came down to succor each side in turn, and to keep the battle going until darkness separates the combatants. Each party sustains itself by so many proofs from philosophy, theology, and the Bible, that it is difficult to choose between them. A sect that has been struck down can always get upon its legs again, if it drops the defensive and attacks. God appears to be the common Father of denominations, as of all things."

This was enough; but more than this, he seems to take

pleasure in his iconoclastic work. He goes about it in such a cheerful, light-hearted way! His tone betrays him; it is not respectful, often irreverent. No pious man would have exposed the weakness of the cause he had at heart. We may see the faults of those we love, but we do not proclaim them to the world. Indeed, to inquire at all is the sign of a sceptical mind. Bayle felt this himself, and took his precautions, for the times were ticklish.* How else can we explain his fierce attack upon the memory of Spinoza, unless he felt it necessary to "enliven his character," like Steele, who tells us that he wrote his first play because of "the rebuffs he met with for his religious doctrines"? But the grand loophole of escape he kept always open was Faith. "Our reason," he says, "tells us these excellent doctrines are untenable, self-contradictory, absurd; but Revelation tells us they are true. Human reason, in the presence of the Divine goodness and wisdom, is foolishness. Let us, then, humbly lay it at the feet of Faith, our only anchor and refuge. All that the good Christian needs to know is that his faith rests upon the testimony of God. The more Faith crushes our weak and limited reason, the greater her triumph. In what else does the merit of faith consist? Where there is demonstration, there can be no faith. If I believe in the immortality of the soul and the heaven hereafter from demonstration, I have no more merit than when I believe that $2 \times 2 = 4$."

The device, if a device, was clever, but not new. Many years before Pomponatius had said he believed as a Christian what he could not believe as a philosopher; and his adversaries had suggested that it would be well to burn him as a philosopher and not as a Christian. Bayle's enemies took the same view of his case. There was no denying all that he had written about the excellence of Faith, but "whether a doctrine is orthodox or not," they said, "depends upon the intention of the man who teaches it." Bayle talks like the ordinary run of theologians, but he is laughing at them all the time. He lets Reason talk too much before he makes her hold her tongue. He ruins faith by reason, and then destroys reason by faith. He compromises both authorities." This was well put, but when Leib-

* 1697, Aikenhead was hanged at Edinburgh for blasphemy, only eighteen years old.

nitz, Jaquelot, and La Placette undertook to show that reason should always bear out faith, Bayle scattered their arguments without difficulty. He even proved to them that the best of the Fathers had held precisely his doctrine; and that theologians who had recourse to reason had never been considered orthodox. Protest as he would, pious people instinctively felt that his book was against them. The Protestants accused him of betraying his party when he wrote the "Avis," and of driving weak souls into the Catholic Church by showing that reason was a delusion and faith the only sure guide. Bayle answered, that it required a faith altogether different from any he had recommended to believe that the Roman Church held the truth by Divine commission, and that the Protestants themselves refused the right of private judgment to those who differed from them. The Catholic priests, especially the Jesuits, in their "Journal de Trevoux," wrote against him and preached against him for at least fifty years. In 1750 Voltaire mentions that Père Garosse, of the order, had boasted of preaching against Bayle in Strasburg with such effect, that seven persons burned their Dictionaries in the market-place after the sermon.

Bayle is said to have influenced modern thought more than any other man except Descartes. He was a shadow of the coming eighteenth century cast before; but it is not fair to hold him responsible for the witty warfare of Voltaire on religion, or for the brutal assaults of Paine. In his time it was not religion that was fought over, but doctrine. The wisest and best men believed that error in the most subtle religio-metaphysical speculations was a crime to be punished on earth by the civil power, and by eternal damnation in the world to come. There has been a great change in opinion on this subject. Religion itself is as sacred to us as it has ever been to mankind, but conduct is now considered of more importance than creed. Those old doctrines are as dead as the saints; even their relics have ceased to be reverenced. The superstition of dogma is felt to be as foolish as the superstitions of tradition or of ceremonial. Regeneration, justification, predestination, grace, watch-words then, are hardly catch-words now. They fall dead upon our ears. We are Lutherans, Baptists, Calvinists, from birth, habit, or prejudice. Few know or care to know the

distinguishing points of their creed. All Protestant sects might gather under the same roof, if dogmas only were in question. These are kept, like the church plate, by the preacher. But Bayle lived in the midst of the swarm of doctrines, "hatched by the long incubation of school divinity upon folly." He discussed the mystery of man's origin, destiny, and relations with Divine Providence with as little feeling as an anatomist when he dissects a body. He never felt the cut of the knife on his own nerves, like our nineteenth-century doubters. That he was an upright, kind, and benevolent man, no one denied. He fulfilled the customary religious duties, took the communion four times a year, went to the Prêche every Sunday, and listened to many "a good, honest, painful sermon." He risked his life and liberty, and gave up fortune and country, for his religion. Twice, at least, he refused brilliant offers from France. He had only to abjure to become another Pellesion with position and wealth in the capital of learning. That he was a sincere Protestant in the cardinal point of private judgment cannot be questioned. He warned the Protestants that, in not holding fast to that right, they gave the advantage in controversy to the Catholics. Nor is it to be supposed that because he had examined every system, he was without one, like the lady in Crabbe's poem: —

> "The creed of all men she takes leave to sift,
> And, quite impartial, turns her own adrift."

A creed in those days was as necessary as clothes to decent people. Bayle was a Calvinist. He thought that the scheme of the Synod of Dort was, on the whole, sounder than *les moyens relâchés* of the Arminians; "and whatever system a man may fix upon," he said, "be it right or wrong, one thing is certain, we must do good actions, love God, and act up to our consciences." This will not be considered a very dangerous form of scepticism.

But his religion was of the head rather than of the heart. He had no *besoin de croire*. Much as he preached faith, he had little use for it. Giant Despair did not inhabit Doubting Castle when he visited there. He was incapable of that agony of doubt which once drove Pascal to toss up, to decide by heads or tails whether God existed and whether the soul was

immortal; he had not a trace of that abject fear of punishment hereafter which reached insanity in Cowper. Bayle had an intense dislike of dogmatism, with no toleration for people who, having "made for themselves a God after their own image," insisted that everybody should bow down and worship him. He could not refrain from turning their own weapons against his noisy and bigoted fellow-exiles, and it happened to him, as to Diomede at the siege of Troy, he wounded a divinity with the sword he had drawn against wrangling mortals. Bayle hated confident ignorance and falsehood. "Never give lies quarter," was his motto. He shot at them "with arrows made of any wood," and sometimes, in the eagerness of his pursuit, ran them down on consecrated ground. The spirit of contradiction, or rather of reaction from commonplace opinions, was strong within him. To hear something loudly repeated every day, created an inclination in him to doubt, to examine, to deny.

"I know him, bless him," some one said to Charles Lamb for the twentieth time of a Mr. B——, whom he had never seen. "Well, I don't," retorted Lamb, "but damn him at a hazard." * Bayle was provoked to write the "Avis" by the violent and disingenuous altercations of the refugees. His friend Basnage evidently thought him the author of it. He told Des Maizeaux that Bayle must at least have written the Preface and retouched the work. "There is no mistaking his ingenuity, his wit, or his style. There is but one Bayle." "It was *aut* Bayle *aut diabolus*."

In philosophy Bayle was not a sceptic. Bouillier, author of an excellent history of Descartes and his school, speaks of Bayle's "Systême de Philosophie" as "one of the best of those excellent treatises on the knowledge of God and of ourselves, suggested by the philosophy of Descartes"; although he admits that Bayle did not always swear *in verba magistri*, and made some objections which none of the disciples of Descartes were able to answer.

There are three degrees of scepticism, of which Montaigne, Bayle, and Hume may be taken respectively as types.

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* This rebellious feeling extended to more serious subjects in Lamb as well as in Bayle. "The dogmatism of theology has disgusted Lamb, and it is that alone *he opposes*. He has the organ of theosophy and is by nature pious." (Crabb Robinson, Vol. I.)

Montaigne merely loosened the ground about received opinions. *Que sais je?* "What do I know?" was his motto. Bayle examined a great many questions, and showed that in these, at least, it was impossible to know what was absolute truth. Hume, from the very nature of the human understanding, deduced that we are incapable of arriving at truth. Hume was an *a priori* sceptic. Bayle would have been an inductive sceptic, if he had been a maker of systems; but he was not, partly from his anti-dogmatizing temperament, and partly from policy; for he saw the great advantage in controversy of holding no position that could be attacked. His intellect, bright, sharp, and solid as steel, delighted in the play of dialectics. He had trained off every superfluous ounce of prejudice, of sentiment. Since the day of Zeno, there had been no one equal to him in his rare combination of subtlety, learning, and good sense. He felt the joy a master always feels in the exercise of his strength and skill. He loved to set up objections, for the pleasure of cutting them down. He compared himself to Zeus Nephelegereta, the gatherer of clouds. His keen eye detected a fallacy, however carefully concealed, and he knew how to expose it by "happily hitting the one point of view" which made its real character visible to everybody. He was a destructive, not a builder up; the first of dialecticians, rather than a philosopher. Otherwise he might have gone far. He anticipated Locke, when he asked, "Why God could not have made the body conscious of itself. We do not know how he acts on the mind. We know nothing of substance, and arguments for or against materiality are equally balanced and equally incomprehensible." He anticipated Berkeley in showing that there is no proof of the existence of matter; for Descartes "extension" is as much a "mode" or an "attribute" of matter, as color and scent. The doctrine of the relativity of human knowledge is clearly set forth in his writings; there are hints, scattered here and there, which suggest Kant; and the moral of all his labors is that of Mr. Lewes, in his History of Philosophy: "Inquiries conducted on the metaphysical method are but as dreams."

Few of Bayle's "difficulties" have been removed, few of his "problems" solved. He may be answered by intuition, by

mysticism, by feeling; but if we try to shape our feelings into syllogisms, and call upon reason to assist us, we get a dangerous ally. Reasoning in such matters is like the sword in quarrels: "They that take the sword shall perish by it." Religion is of "such an unspeakable comfort" in the cares and misery of this world, that to overthrow any form of it, even fetichism, unless you have something better to put in its place, is a sin against one's fellow-men. It cannot be denied that Bayle has written much that renders him liable to this reproach. But his motives may have been good; he may have sincerely possessed the faith he extols. Who shall say? Leibnitz, who had often crossed swords with him, wrote after his death: "It is to be hoped that M. Bayle now finds himself surrounded by those lights that are wanting to us here below, since there is ground for supposing that he was not deficient in good intentions." "Charité bien rare parmi les théologiens," was Fontenelle's remark on this.

F. Sheldon.

Art. VII. — France under the Second Empire.

The connection between the First and the Second Empire is almost too obvious to need insisting upon. That the latter is built upon so much of the massive ruins of the former as had resisted disintegration, and still peered above the *débris* of intermediate dynasties, is an admitted fact needing no demonstration. The important question is, Of what materials do these imperial foundations exist? What, to drop metaphor, are the ideas or sentiments, created by the First Empire, which have outlived it?

Now, when we endeavor to seize at a glance the most prominent characteristic of the Napoleonic era, the impression first presenting itself is that of French *supremacy*, — above all, of French *military supremacy*. There can be no hesitation here. It is by this characteristic that that epoch of French history is pre-eminently distinguished from every other.

Closely connected with this idea of supremacy, although less

conspicuously prominent, stands the idea of *authority*, of a firm central power repressing anarchy and curbing revolution. These two we take to be the main characteristics of the Napoleonic era, the characteristics which left on that generation an impress so deep as to prove hereditary, and thus prepared the way for the Second Empire and its marvels.

The persistency of the characteristics of race is one of the most curious of ethnological problems. In the extant fragments of Cato the Elder's "Origines," the following passage occurs: "Pleraque Gallia duas res industriosissime persequitur; rem militarem et argute loqui."* The remark is two thousand years old, but remains strictly true at the present day. To the Frenchman, vain at all points, but especially vain where *la gloire* is concerned, the idea of France's military supremacy possesses an attractiveness without some appreciation of the intensity of which the course of recent French history cannot possibly be understood. The apparent eclipse of this idea was one main cause of the instability of Louis Philippe's throne, and its brilliant "emersion," before the magic of Napoleon's name, helped more than anything else to lift the present Emperor into power.

Now it is tolerably apparent that race characteristics will always be most powerful among the least educated classes. In France the peasantry — the most purely Gallic portion of the population — are in a state of ignorance only exceeded, probably, by that of the same class in England. What little knowledge they possess is, of course, only school-gained knowledge, neither developed nor assimilated by the processes of observation and discussion which are open to the artisan of the town, and hence rather fitted to enhance than to correct the common rustic tendency to superstition, which in the imaginative Celt is especially strong.

But the French peasant, from the circumstance of his being the owner of the soil he tills, is also intensely conservative in character, opposed heart and soul to every revolutionary tendency, and therefore deeply enamored of that principle of authority which we have named as one of the dominant elements of the Napoleonic idea. For him the first Emperor,

* See Krause, Historicorum Romanorum Fragmenta. Berlin, 1833.

whose picture hangs above his hearth, is France's tutelary saint, the personification of that national grandeur which enables him to believe that, humble as he is, the mere fact of his being *un Français* raises him above the denizens of every other country in the world. The simple intensity of this hero-worship is almost incomprehensible to an American. To find its parallel we must open some legendary chronicles and go back to the days of King Arthur and his Round Table, or of Charlemagne and his paladins. That the Emperor did not really die in St. Helena, but remained, in some semi-spiritualized condition, a denizen of this nether world, was for years the firm faith of thousands of these poor fellows, many of whom at once accepted the conclusion that Louis Napoleon was *le petit caporal* himself restored to animation. The melodramatic travesty of a Republic which followed the revolution of 1848, making universal suffrage logically imperative, threw the elective power directly into the hands of these Napoleon-worshippers, and the watchful Louis saw his advantage and profited by it at once.* For a second time, popular sovereignty, unenlightened by education, engendered pure absolutism.

The vote of 1851, however, was swollen almost to unanimity by the adhesion of many who were far from sharing the hero-worship of the rural masses. It was solely as the representative of the principle of authority that the *bourgeoisie* voted for Louis Napoleon. He was in their eyes the alternative of a socialistic republic, but their hearty acceptance of a *régime* which annihilated their own political influence was naturally impossible. The Emperor himself was perfectly aware of this. He knew that by the majority of the enlightened classes the Napoleonic era was regarded with very different sentiments from those entertained by the rural population, and accordingly one of his main objects always was to "put down" the enlightened classes and to give preponderance to the unenlightened.

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* It will be remembered that a law restricting universal suffrage, passed by the republican Assembly in 1850, in known opposition to the President's views, was one of the incidents which helped to prepare public opinion for the *coup d'état*. The repeal of this law was announced in the proclamation posted about Paris on the morning after that famous — or infamous — act.

This assertion seems at first sight almost an incredible one, when we remember that France is not only one of the most enlightened countries of the civilized world, but emphatically the one which boasts loudest of her enlightenment. Its relevancy to our subject is, however, sufficiently close to demand some proof of its accuracy. It is, indeed, one of the leading facts which explain the utter hollowness of that structure which has already collapsed, and apparently could not but collapse, before the first well-directed blow.

The France of which Louis Napoleon possessed himself, with "well-used cruelty," * in 1851, was a nation full of noble aspirations, but, thanks to a chronic state of revolution, so utterly bereft of any sort of national faith, whether in religion, morals, or politics, that these aspirations were without harmony or precision of aim. The various sections of society, — the *noblesse*, the *bourgeoisie*, the operatives, and the *prolétaires*, — forging for themselves, out of their own special and exclusive interests, theories inconsistent with the interests of others, and acknowledging no other authority than the conviction of the moment, had come at once into inevitable collision, and the belief in the Republic which was to inaugurate a millennium of peace, liberty, and brotherhood, had vanished almost at the moment of that Republic's proclamation. The state of things was one which justified, or rather demanded, strong repressive measures, and of this the great majority of the people were deeply conscious, as the vote of the 20th December, — the vote of seven and a half millions, — strikingly proved. But had Louis Napoleon possessed range as well as clearness of vision, he would have felt that, with a nation whose entire political life, for three quarters of a century, had been a feverish striving after liberty, such a state of things could only be exceptional. Unable to perceive this, he accepted the temporary as the normal condition of France, and set himself to make perpetual a dictatorship which was only justified by transient circumstances.

By restoring, after the *coup d'état*, that universal suffrage

* "Bene usate si possono chiamar quelle crudeltà che si fanno una sol volta per necessità dell' assicurarsi." — Machiavelli, Il Principe, Ch. VIII. (Di quelli che per scelleratezze sono pervenuti al principato.)

which the sham Republic had sought to restrict, the Emperor found at once a solid basis for his power in the Napoleon-worshipping peasantry.* But the middle class and the operatives, meantime, were alike opposed to the absolute *régime* which he inaugurated, and his efforts to repress this opposition constitute almost the entire internal history of the Second Empire. The parliamentary traditions of the Restoration and of Louis Philippe were too deeply engrained to be altogether ignored. Some empty names were, however, all that Louis Napoleon deemed it necessary to concede to these traditions. A senate, with no share in legislation, except to determine the constitutionality of the laws submitted to it by the Emperor, and a "legislative body" empowered to vote upon, but neither to reject nor to amend these laws, both sitting with closed doors, were the institutions substituted for the free "tribune" which had echoed to the incisive logic of a Guizot, the fiery utterances of a Thiers, and the burning declamations of a Lamartine.

This was, practically, to convert the legislature into a mere court of record. But the Frenchman is no less prone to the *argute loqui* than to the *rem militarem;* and, in spite of the withdrawal of every stimulus to oratorical display, there was still danger that the court of record might become a debating society also. To prevent this the most strenuous efforts were made to exclude every element of opposition, without which there is no debate. "Official candidates" were put forward, backed by ministerial circulars, and openly supported by the whole force of a bureaucracy which ramifies from Paris through out France, and obeys with mechanical precision the impulse given from the centre. To the average Frenchman, nurtured under this system of minute centralization, nothing is more irksome than political responsibility, and the authoritative recommendations of the government were adopted by the masses with eager subserviency. As a result, the "liberal" intellect of France was virtually excluded from the first Corps Législatif, and was only represented in the second (that of 1857),

* According to the French census of 1866, out of an entire population of thirty-eight millions, twenty-six and a half millions inhabit country districts exclusively.

by five members (Jules Favre, Picard, Darimon, Henon, and — Ollivier).

Having thus, as he fondly believed, silenced the tribune, the Emperor turned to the press, — a still more formidable opponent, because penetrating into every household and knowing no fatigue. The decree of February, 1853, subjected all newspapers to a preliminary authorization, and to the deposit of a large sum by way of "caution money." The circulation of matter considered objectionable, by an irresponsible minister, entailed an official warning (*avertissement*), and after three such warnings the paper might, at the option of the same minister, be suspended. In some cases this supervision of the press took the preventive form, the minister formally interdicting the bare mention of certain facts the publicity of which might seem to him undesirable! Two judicial condemnations, for *contraventions* or *délits*, authorized entire suppression of the offending journal.

So much for the newspaper press. To get at literature in its more solid form was not so easy, and in the heart of Paris a *direct* * interference with this was scarcely to be thought of, even by the elect of eight millions. As far, however, as the rural population — the Emperor's special object of anxiety — were concerned, the thing presented no difficulty whatever. The village book-trade in France is carried on through the medium of licensed hawkers (*colporteurs*); and, under the pretext of religious and moral supervision, these men were now compelled to submit every separate book in their stock to be stamped in the bureau of the Minister of the Interior. Of course the refusal of this stamp to any work amounts to the absolute interdiction of its sale among the peasantry.

In France no grade of education is exempt from government control. Upon education, therefore, it was easy enough, mechanically speaking, to lay a cramping hand. The only real difficulty was to do this without shocking public opinion too much. But in Church-and-State Europe there is always a ready way to turn such a difficulty. Throw education into the hands of the priesthood, and its increase loses at once all identity with the

* It is indirectly interfered with, however, even in Paris, by the decree requiring both booksellers and printers to take out a government license.

increase of "enlightenment." Of course it is the "private" schools which are furthest removed from government influence; but as these, like the public schools, require an official authorization which is revocable at pleasure, it was easy to suppress them here and there, on one pretext or another, and into the vacancy so formed the wealthy and energetic ultramontane confraternity, called the "Frères de la Doctrine Chrétienne," almost invariably steps in.

This confraternity only occupies itself with primary education. In the higher grade the clerical competitors are, of course, the Jesuits. To check the progress of these champions of obscurantism the government of Louis Philippe had wisely ruled that the degree of *Bachelier-ès-lettres* should be conferred only on youths prepared in colleges open to government inspection. The repeal of this regulation admitted the Jesuits at once, with their superior wealth, their concentrated action, and their imposing stock of arid erudition, to compete with the liberal public establishments, which could not meet them on equal terms, and since that repeal Jesuit colleges have been multiplying in every direction. Thanks to arrangements of this kind, the Emperor was enabled to make yearly boasts of the spread of education in France, with the comfortable conviction, the while, that the solidity of his throne had not thereby been impaired.

But these provisions were aimed mainly at the middle class, whose constitutional and liberal tendencies they were meant to cripple and silence. The laboring classes of the large towns, — men nurtured amid revolutionary traditions and pervaded by theories of the wildest and often the most desperate character, — required a different treatment. Material well-being was the Emperor's grand panacea for this source of disturbance. Constant employment and good wages would keep the irritations of poverty away from the workingman's door; cheap amusements — concerts, hippodromes, and open-air dances — would indispose him for political intrigue or discussion, and beautiful boulevards and public gardens, adorned with statues, fountains, flowers, and trees, would invite him to healthy exercise, keep his liver in order, and satisfy the feeling for sensuous beauty, for elegance, brightness, and gayety, which is a characteristic

of the race. Accordingly, public works were inaugurated throughout France, but more particularly in the metropolis, on a scale of lavish magnificence to which modern history at least affords no parallel. In this way Paris has become incomparably the most beautiful city of Europe; and as Paris is, for the Frenchman, the representative of France, gratified popular vanity has closed its eyes to the loss suffered by the popular purse.* But in running magnificent boulevards and stately avenues through his capital in every direction, Louis Napoleon did something more than gratify popular vanity and provide work for turbulent operatives. He has at the same time immensely facilitated military action against revolutionary *émeutes;* he has broken up and obliterated numerous hot-beds of disturbance, and has, by the rise of rents inevitable upon his improvements, driven the "dangerous classes" from their objectionable lodgement in the interior of the town into the cheaper suburbs.

With direct economical action in the workingman's favor, rents under two hundred and fifty francs are exempted, in Paris, from taxation; the "boucherie" has been wisely thrown open to competition, and the "boulangerie" has been — not wisely — subjected to a maximum price, with compensation from the municipal revenues. As for repressive legislation, the stringent laws on the press affect of course the poor man's newspaper as much, at least, as the rich man's, and the law restricting "meetings" to less than twenty persons, unless officially authorized, — a law passed by the sham Republic of 1848, — renders the organization of the perilous "club" impossible.

The political status we have above described was that immediately created by the *coup d'état.* It directly supports, we think, our statement that the Emperor's leading policy has been to make of the *bourgeoisie* and operatives political ciphers,†

* The total outlay on public works in Paris alone for the ten years ending with 1862 has been estimated at $ 90,000,000. The cost of adding six metres to the height of a single wing of the Louvre was $ 800,000. The erection of the Boulevard de Sebastopol, which broke up some of the worst districts of the city, cost $ 15,000,000.

† "The position of the legislature," boldly exclaimed M. de Flavigny in the session of 1853, "is simply degrading, and we senators are mere ciphers."

and to rest his own absolute power entirely on the rural population; that is to say, on that portion of the people which is notoriously the least educated and, above all, the least awakened to political self-consciousness.* His whole system of government has been modelled on this policy, and the real merit of that system has been, that an essentially low and selfish aim — purely and simply that of establishing his own dynasty — has been prosecuted with so much of worldly wisdom that the appearance of a close harmony with the enlightened tendencies of the age has been consistently kept up almost from beginning to end. As far as the material prosperity and political influence which make a show in the world are concerned, Louis Napoleon secured for France that commanding position which is so infinitely dear to the national vanity. What "domestic happiness" he brought her is another question, which we shall now examine.

One test of a good government is, unquestionably, its harmony with the stage of development at which the governed nation has arrived, — its fitness to discern and satisfy the requirements of that stage. In this sense, England and Russia, for example, are both well-governed countries, although their political systems are strikingly dissimilar, and would, if interchanged, probably deserve to be considered the two worst-constructed governments in the world. Tried by this test, the Second Empire must be condemned at once. The characteristic movement of European civilization, during the last century, has been towards limited monarchy and representative institutions; and the country which inaugurated that movement, and placed itself at its head, was France. It is unnecessary to refer to the extreme forms which these principles have occasionally taken in that country; the broad fact is all that we have to do with here. The "principles of the Revolution" reduce themselves in the last analysis to the two above mentioned (with the addition, in exceptional intensity, of the principle of "equality"), and the principles of the Revolution, in one form or another, — philosophically interpreted, grotesquely exaggerated, or brutally caricatured,

* The army, in its great majority, is simply a portion of the rural population, drilled or supposed to be drilled, into intenser Napoleon-worship.

— constitute the only approach to political convictions, the only materials out of which a national creed can ever be constructed which France has to offer.

But we have no wish to betake ourselves to the facile triumphs of an *a priori* argument. We appeal to facts.

The Napoleonic system, of an absolute monarchy, based upon universal suffrage, is a political monstrosity, possible only where the masses, who supply the approving majority, are entirely destitute of all political education. With such a system the legislative influence of the enlightened classes is wholly irreconcilable. The two cannot exist side by side, unless under the condition of internecine hostility. This proposition seems almost self-evident, and yet its force entirely escaped the French Emperor, who, from first to last, has steadily pursued his policy, of keeping the provinces in pupilage and ignorance, while he has, from time to time, yielded to the pressure of the towns, and ceded large privileges to the educated minority.

We have already mentioned that the liberal opposition was, in the first imperial legislature, wholly unrepresented,* and that, in the second (elected in 1857), it only numbered five members. These five members, however, were sent up from Paris and other leading towns, revealing, when the immense efforts of the bureaucracy against their return were taken into account, an intensity of disaffection never dreamt of by the self-complacent autocrat. The attempt of Orsini followed shortly afterwards (January 14, 1858), to complete the rudeness of his awakening; and under the first terror of the revelations connected with that conspiracy, — revelations prudently withheld from the public, — the atrocious *loi de sureté générale* was passed, which imposed fine, imprisonment, and even exile upon the mere utterance of opinions hostile to the government of the Emperor. The organization of a system of *espionage*, both

* The eloquent Orleanist, Montalembert, cannot properly be classed with the liberal opposition. His indignant protest, in the senate chamber, however, against the degraded position of the legislature, and particularly against the confiscation of the Orleans possessions, deserves record. "I find it stated, in your decree," he said, "that enough will remain to the princes of the house of Orleans to take an honorable position. This is exactly the same language which was held three years ago, when I was told, 'If we take from M. de Montalembert half his estates, he will still be quite rich enough.'"

private and public, was the natural result; and, for some time, the demoralizing era of the infamous Fouché seemed about to be revived.

But Louis Napoleon soon perceived that this was not the course adapted either to the people or the age. The courageous plain-speaking of the press, in the teeth of ceaseless and merciless persecution, would alone have sufficed to open his eyes to the volcanic nature of the ground on which he was treading.* With one of those sudden *tours*, characteristic of the man, and well fitted to impress the melodramatic fancy of the Gaul with the idea of profound reflection and sharp, unbending decision, but in whose manifest inconsistency calm criticism detects a policy based on nothing deeper than a shrewd guess at the prevailing drift of the moment, the Emperor abandoned the path he had entered, and astonished the world by a decree (November 24, 1860) which, at first sight, looked like a return to parliamentary days. The legislative body received, by this decree, the right to amend government bills, and to vote an address in reply to the speech from the throne, stating therein what measures were deemed desirable for the national interest. Above all, its sittings were permitted in future to be public, and its debates free. The burst of rapture and of adulation which followed these really insignificant concessions gave painful evidence of the state of debasement into which France had fallen. After the first effervescence had passed, however, a calm examination produced different feelings, and the decree was soon in danger of being as much depreciated as it had at first been overvalued. It was the Emperor himself who came forward, in apparently frank good faith, to rehabilitate his concessions and explain their significance.

"Up to this day," he said, in the opening speech of the session of 1861, "the *discours d'ouverture* has failed to bring my government into sufficient intimacy with the great state bodies, and these have been deprived of the power to justify the government by their public adhesion or to enlighten it by their counsels.

* In 1857 and 1858 the *Revue de Paris*, the *Assemblée Nationale*, and the *Manuel Général de l'Instruction primaire* were suppressed; the *Presse* was thrice "warned," and finally "suppressed"; the *Siècle*, the *Gazette de France*, the *Constitutionnel*, were repeatedly "warned," the publisher of the former fined and imprisoned also.

I have decided to place annually before you a general review of the situation of the Empire, as well as the most important diplomatic despatches. In your address you can manifest your sentiments concerning the events taking place (*les faits qui s'accomplissent*), not, as hitherto, by a simple paraphrase of the speech from the throne, but by a free and loyal expression of opinion. In former times, as you know, the suffrage was limited. The Chamber of Deputies had, indeed, ampler prerogatives, but the great number of public functionaries admitted to it gave the government a direct influence over its resolutions. The Chamber of Peers also voted laws, but the majority could, at any moment, be displaced by the addition of new members; moreover, measures were not always discussed on their real merits, but rather on the chance of their adoption or rejection keeping in or ousting a ministry. At the present day, the laws are carefully and maturely prepared by a council of enlightened men, who give their advice on all measures in contemplation. The Senate, the guardian of the national compact, whose conservative power only makes use of its initiative in circumstances of gravity, examines the laws solely with reference to their constitutionality. But, as a genuine political court of appeal, the numbers which compose it cannot be augmented. The Legislative Body does not, it is true, interfere in all the details of administration, but it is directly nominated by universal suffrage, and counts no public functionary in its bosom. It debates measures with the most entire liberty; if they are rejected, it is a warning not unheeded by the government (*un avertissement dont le gouvernement tient compte*); but this rejection neither gives a shock to power, arrests the course of affairs, nor forces upon the sovereign advisers in whom he cannot confide. . . . . Exhaust all discussions, gentlemen, during your vote on the address, according to the measure of their gravity, that you may afterwards devote yourselves entirely to the affairs of the nation."

This speech — from which we have given the above long extract on account of its authoritative exposition of the posture of the legislative body at the moment — created a most favorable impression, and the five liberal members already referred to availed themselves at once of the conceded right of

free discussion by proposing as an amendment to the address a demand for the abolition of the *loi de sureté générale* and all other exceptional laws, including more particularly those on the press, and the detestable system of official candidature.

The question of the press was naturally one of the most urgent. Free and public legislative debates seemed almost of necessity to imply the right to print these debates and to discuss their substance. A concession of some kind was indispensable here, but the meagre measure brought in by the government showed at once that this concession was to be nothing more than a sham. By the new law the administrative *régime* to which the press was subjected remained unchanged. The sole alteration it made in the despotic decree of 1852 was to strike out the proviso entailing suppression of a journal after two condemnations for *contraventions et délits*, and to declare that administrative "warnings" were to be considered as of no effect after the lapse of two years. No wonder that the eloquent Jules Favre, the leader of the liberal forlorn hope, protested against this law as utterly out of harmony with the recent decree. "I fearlessly assert," he exclaimed, "that, as matters now stand, there is no press in France but a government press, no opinion professed except the opinion dictated or authorized beforehand by the administration itself. And how could it be otherwise? Has not the same power which authorizes the creation of a journal reserved for itself the right to strike it dead at its good pleasure? . . . . Liberty must be restored to the press!" he cried, addressing the Minister (M. Billault) in direct terms; "as long as it is withheld you will meet here a determined adversary, who, on every opportunity, will proclaim to the country that the wish to retain arbitrary power is in itself a confession of incurable weakness!" To this courageous interpellation M. Billault opposed a statement of the home policy of the government which was probably more candid than the Emperor considered at the moment desirable. "Do not imagine," he said, "that the grand act of the 24th November is one of those concessions under favor of which the enemy, already in the environs, finishes by penetrating into and mastering the fortress. All the foundations on

which the government policy and the public security rest — the law of general safety, the *régime* of the press, the patronage exercised by government in the elections — are now attacked. But the very speeches we hear in this chamber prove clearly enough that the government cannot go further without compromising itself. Messieurs," continued the speaker, " en presence des partis qui s'agitent, le gouvernement n'abandonnera pas son droit, qu'il tient du peuple, d'empêcher les réunions électorales là où ces réunions offriraient un danger ; il n'abandonnera pas son droit d'appuyer certaines candidatures en face de celles que patronneront les partis ; il ne dissondra pas cette chambre qui a si bien servi le pays ; il ne modifiera pas la position que le plébiscite de 1852 a faite du pouvoir."

There could be no mistake about language like this. But what are we to think of the policy of which it is the exponent? The concessions made could not possibly have been dictated by any other motive than that of conciliating liberal opinion. Now liberal opinion in France comprises, notoriously, the vast majority of the intelligence of the country. Could a really far-sighted ruler persuade himself, for a moment, that miserable scraps of liberality like these would satisfy anybody of intelligence? The thing is inconceivable. To such men either a full measure must be meted out, or absolute denial must be persevered in. Either a liberal system in good faith, or a repressive system. The government that oscillates between the two inevitably loses ground on both sides. Its own adherents waver in their faith, and the opponents it hopes to disarm only become more embittered by the deceptions practised on them, and more emboldened by what little they have won.

The thorny question of the publication of the debates was settled by a *Senatus-consulte*, which ruled that authorized summaries of these should be transmitted every night to all the newspapers. A short-hand report of the same debates *in extenso* was also to be inserted daily in the *Moniteur*, and the journals were at liberty to publish either the summary or the report, but must print whichever was selected, *entire*.

The latter proviso was evidently aimed against any inclination to give undue prominence to favorite orators. The government

was itself the first to transgress it. Terrified by the eloquent utterances of the opposition, which daily grew more vehement, it had recourse to the more stringent machinery already referred to, and prohibited, by ministerial *communiqués*, the publication of arguments which it felt itself powerless to refute. The *communiqué* indeed began now to take the place of the *avertissement*, with a positively retrograde force, because tending to substitute a preventive for a coercive policy; actions for *délits de presse*, too, became daily more numerous and sentences more severe. Not the less, however, nay, rather the more, did the enfranchised tribune assert its power, and in 1862 we find the Corps Legislatif twice rejecting a bill for an annuity to Count Palikao, although brought forward under the avowed patronage of the Emperor, by whom it was ultimately made law in spite of the chamber's dissent!

Meanwhile the general election of 1863 was drawing near, and the government might well be supposed to be intently studying the signs of the times. If such was the case, however, the result of those studies did not speak much for their depth. The opposition to the system of "official candidature" was one of the strongest points of the liberal party. The system itself was in flagrant contradiction with the most elementary notion of the representative principle. It was condemned and ridiculed by the public opinion of Europe, and its defenders could adduce no single argument which would bear the most superficial analysis. Under circumstances of the kind one would imagine that proceedings so offensive would at least be conducted as quietly and unostentatiously as possible. If absolutely indispensable to the maintenance of a government so constituted, a decent veil would surely be thrown over them, and the wheels of the bureaucratic machine would be brought to smoother and more noiseless action. The very reverse course was adopted! Two central committees, formed in Paris at the commencement of the electoral campaign, one representing a fusion of the Orleanists, legitimists, and moderate liberals, with the Duke de Broglie as its president, the other consisting of the more thoroughgoing liberals of 1848, and presided over by Carnot, were broken up at once, in virtue of the law against *réunions*, though this law was really meant to apply only to

assemblies menacing the public peace. An angry circular was publicly addressed by M. de Persigny to all the *préfets* throughout France, declaring that the government had withdrawn its patronage from certain deputies, twenty-four in number, who, although elected on the "official" ticket, had presumed to vote with the opposition upon the Roman question, — one of the most unpopular measures to which the government was pledged, — and a letter from the Minister of the Interior was inserted in the *Moniteur*, announcing that the administration would oppose, with the utmost energy, the election of M. Thiers. The result was exactly what might, with a small exercise of common sense, have been foreseen. Out of an aggregate of, in round numbers, ten million electors, five million three hundred and fifty-five thousand only cast their votes for the government, and two million supported the opposition; while the remainder did not vote at all. The liberal representation was increased from five to thirty-six members; Paris, out of nine liberal candidates returning eight, among whom was, of course, M. Thiers. The immense number of non-voters — above two and a half million — might well have made the government ponder on its position. With a zealous far-spreading bureaucracy like that of France, employed to secure the largest possible vote for the government, it was next to impossible that all these men could be indifferent to the administration. Indifference must inevitably have yielded to the stimulants ceaselessly applied by *préfets*, *sous-préfets*, and *maires*. Were they then opposed to the government? This was scarcely likely either, as in such a case the strong political excitement of the day would have driven them to the ballot-box. The probability is that these abstainers represented, for the most part, the *dissatisfied* element, — that they were men who had their doubts of the policy pursued, and refused their approving vote accordingly. But to which side, then, would these doubts apply? Certainly not to the repressive policy of the government, which could not well be more stringent, but rather to its liberal policy, which could not well be more hesitating or vague. Here, then, was material upon which the mature power of the government had already failed to act, but which the growing force of liberal opinion could fairly hope to influence, as it would infallibly strive to do.

Was the gravity of this situation appreciated by the Emperor and his advisers? Not in any way. The speech from the throne was unusually colorless, and the only reforms spoken of, at all deserving the name, were a law permitting trades-unions conditionally, and a law giving ampler functions to the general and municipal councils.

Meanwhile the opposition in the Chambers, formidable comparatively as it had become, was treated with haughty contempt by the majority; and in his reply to the address of 1864, the Emperor coolly observed: "Let us each remain in our proper spheres. You, gentlemen, enlightening and controlling the progress of the government, *I taking the initiative in all that may promote the greatness and prosperity of France!*"

The home policy of the following year was distinguished by the reorganization of the municipal councils, and a circular, from the Minister of the Interior instructing the *préfets* to allow the municipal electors to manifest their choice freely, "inasmuch as local interests only were in question at such elections." The *conseils généraux* of the Seine and Marne, presuming on the conceded amplification of their functions, ventured to pass certain resolutions, chiefly concerned with improvements in their own internal organization. The "liberty" was checked at once, and the resolutions were declared null and void by imperial decree.*

The eventful year 1866 opened amid unusual tranquillity. "For the first time during many years the quidnuncs allowed spring to approach without predicting a general European war!" The imperial finances, always more or less disordered,

* It was on the occasion of a somewhat similar "liberty" taken by the council general of the Haute Garonne, a few years earlier, that Napoleon administered to that abashed body a most signal rebuke. "Un homme," he said, "qui sort de la vie privée pour venir passer trois on quatre jours au chef-lieu de son département, fait une chose également inconvenante et ridicule lorsqu', à la faveur de quelques observations utiles sur l'administration particulière de son département, il se permet des observations critiques et incohérentes. . . . . Sans doute il a été un temps où la confusion de toutes les idées, la faiblesse extraordinaire de l'administration générale, les intrigues qui l'agitaient, faisaient penser à beaucoup de citoyens isolés qu'ils étaient plus sages que ceux qui les gouvernaient et qu'ils avaient plus de capacité pour les affaires. Ce temps n'est plus. L'Empereur n'écoute personne que dans la sphère des attributions respectives." The nephew here seems to have caught the very trick of the uncle's style!

seemed to be gradually improving under the able supervision of M. Fould; and the dissensions of Prussia and Austria, which had not yet passed out of the field of diplomacy, promised to France a speedy opportunity of again asserting herself, under exceptionally imposing conditions, as the arbiter of Europe. The liberal party meanwhile waited with anxiety for the speech from the throne. It seemed to them impossible that, in the face of their own manifest progress, the path of reform, entered upon so long ago as 1860, should still remain a mere *cul de sac*.

Their hopes were doomed to signal disappointment. The expected speech passed an elaborate eulogy on the Constitution of 1852, which, "holding itself equally aloof from both extremes, had founded a national and sagely matured system on the just equilibrium of the different powers of the state." This instrument of despotism was declared, with solemn irony, "to have certain analogies with the constitutional forms of the United States," and the hearers were informed that the fact of its differing from the English Constitution was no proof of its being defective. "Have we not had enough discussion of government theories during the last eighty years?" exclaimed the imperial Pecksniff. "Is it not far more useful now to seek practical means to ameliorate the moral and material condition of the people? Let us employ ourselves in diffusing everywhere, along with enlightenment, sound economical doctrines, the love of excellence, and religious principles. When all Frenchmen now invested with the political franchise shall have been enlightened by education, they will have no difficulty in recognizing truth, and will not allow themselves to be led astray by deceitful appearances; finally, when all shall have imbibed from childhood those principles of faith and of morality which elevate man in his own eyes, they will know that, above human intelligence, above the efforts of science and of reason, there exists a supreme Will which rules the destinies of individuals as well as of nations."

The stupor with which this sentimental eulogy of absolutism was listened to by earnest men, whose whole life had been one struggle for a political freedom, which the imperial speaker seemed a short time before to have dangled before their eyes

for the mere pleasure of jerking it now beyond their reach, may be easily imagined. Words of this kind addressed to such men were manifestly nothing but a transparent cloak for contemptuous repudiation, and the canting form given to the words rendered the contempt all the more stinging.

As if to remove any possible doubt as to the reactionary significance of this speech, M. de Persigny favored the Senate with an amplification of the eulogy, and characterized the recent reorganization of the municipal councils as a mistake, — a departure from the true and admirable principle of authority.* The *Moniteur* published at the same time a ministerial note recalling to the recollection of the press, in severe terms, the law which forbade the insertion of any other than the official report of the procedings of the legislature.

In the Corps Legislatif a most determined stand was made against this attitude of the government, and all France thrilled with the burning eloquence of those debates. The challenge to abstract political discussion so imprudently given by the speech from the throne and by M. de Persigny was taken up at once, and the imperial logic was torn to shreds by M. Thiers and M. Jules Favre, amid the tempestuous agitation of the house. But the most significant event of the session was the amendment to the address. This amendment, which called for the development of the decree of the 24th November, 1860, "the propriety and opportuneness of which appear to have been formally demonstrated by an experience of five years," was signed by forty-six members, several of whom had been elected on the "official ticket," while all the other signers, although not government partisans, were known to desire the stability of the Empire. The amendment was of course rejected, but it obtained the respectable number of sixty-one votes, and a second amendment, presented on the following day, under the same auspices, and having reference solely to the press obtained five adherents more. A minority of sixty-six formed

* On this reorganization the government had given a sort of promise to select the *maires*, in future, from the members of the municipal councils, instead of nominating them, as heretofore, from among mere political partisans, without reference to their local relations. This promise, however, was so far from being carried out, that in six hundred and ninety two cases it had already been disregarded.

outside of the proper liberal (or republican) party was thus the direct result of the Emperor's reactionary policy, and the very parliamentary organization which he most dreaded was stimulated into more rapid growth by his own misjudged efforts to stifle it. The Corps Legislatif had now its *centre gauche*,* and the party was no sooner constituted than it obtained the adhesion of M. Emile Ollivier, who had formed one of the illustrious minority of five in the first imperial Chamber, but had recently quarrelled with his old associates. "On nous refuse à présent," exclaimed M. Ollivier at the close of his eloquent speech on the amendment, "mais on ne saurait nous empêcher de prendre par l'espérance possession de l'avenir. Oui; l'avenir nous appartient; pour le hâter, reconnaissons-nous, rapprochons-nous, concertons-nous, afin que notre union fasse notre force, en attendant qu'elle fasse notre victoire." If the magic crystal of Egypt could have been held up at that moment before his eyes, how would the glowing orator have started to see in it his rhetorical prophecy realized for one brief brilliant moment; and how he would have shuddered at the blank darkness beyond!

Meanwhile events were silently preparing themselves, which were destined to lay bare to the world the emptiness of the imperial system and its profoundly demoralizing influence upon the noble, but impulsive, people who had been deceived by its shallow self-confidence and dazzled by its glitter. The traditional foreign policy of France has been to prevent her immediate neighbors, as far as might be, from becoming too powerful. Second-rate neighbors, whom she can treat patronizingly, and on whose eager and respectful assistance she may reasonably count in case of an emergency, have always been considered by France her proper and desirable *entourage*. The Italian policy of the Emperor had already created dissatisfaction by its want of harmony with this policy; and the feeling had been but partially allayed by the brilliant successes of Magenta and Solferino, by the sublime consciousness of fight-

* The party divisions of the French Chamber are usually distinguished as the *Right*, consisting of the supporters of the government through thick and thin; the *Right Centre*, consisting of its moderate supporters; the *Left*, or extreme radical party; and the *Left Centre*, or moderate liberal (Conservative) party.

ing, as no other country ever fought, "purely for an idea," and by the annexation of Savoy and Nice.

Among the "not too powerful" neighbors of France was the German Confederation, which, although possessed of all the elements of gigantic strength, had long lacked cohesion and unity, and possessed only a dreamy flickering sense of its own individuality. The German Confederation had been so long inert, except for its occasional intestine commotions, that Europe had gradually come to regard its qualification of "an eminently conservative body" in the light, not of a contingent, but of an essential attribute. *Ces gros Allemands* were set down, by France especially, as obese, phlegmatic, unambitious beings, whose lives were complete with a pipe, a glass of "lager," and a drowsy discussion of transcendental metaphysics. It was wholly forgotten, apparently, that they were pure-blooded descendants of the same men who had overturned the Roman Empire and reconstructed the map of the world.

Recently, however, these good Germans had been making themselves uncomfortably conspicuous. This is not the place to recapitulate the incidents of the Schleswig-Holstein war, and it is sufficient to mention that this war revealed a restless, energetic ambition on the part of Prussia which awakened in the more far-seeing of European statesmen dim presentiments of serious future complications, and seemed at any rate clearly to indicate that the antagonism of the two leading German powers — an antagonism which had contributed so much to that "eminent conservatism" of the Confederation — was tending towards a collision which would probably terminate, forever that desirable state of things. The respective occupation, by these powers, of the two Duchies of the Elbe gave the immediate pretext to this collision; and it was in that preliminary pause which always precedes a death-struggle of the kind, — when the antagonists silently collect their strength and count their friends, — that the Emperor showed that limited sagacity, one of the latest results of which has been his own ruin.

Having secured the neutrality of Russia, by holding up to her that principle of nationality which has always had a

special and portentous attraction for that power, Prussia looked around for some active ally who might counterbalance the well-known traditional influence of Austria with the secondary German states. That ally was found at once in Austria's "natural enemy," Italy; with her an offensive and defensive alliance was speedily concluded. Without this alliance it seems scarcely probable that Prussia would have ventured upon the conflict. But at that period the influence of France over Italy was supreme; and there is not the slightest doubt that, had France pronounced a single disapproving word, the alliance referred to would never have been effected. Why was that word not pronounced? The answer to this question has already almost passed from the domain of conjecture into that of historic certainty. During the stormy debates of 1867, the veteran liberal, Garnier Pagès, affirmed categorically that Count Bismarck, on his visit to Biarritz, in 1865, — a visit destined to be the *Tilsit manqué* of the Second Empire, — had explicitly offered to Louis Napoleon the Rhine frontier as the price of adhesion to Prussian schemes, and that this offer had been "neither accepted nor rejected" by the imperial wisdom. This statement was never denied; and the celebrated "draft treaty," in Count Benedetti's handwriting, which was given to the world the other day in the London *Times*, may safely be considered a reproduction *après coup* of Bismarck's offer, — but a reproduction which, under the altered circumstances, Prussia could afford to put aside with civil contempt, as one might put aside the begging-letter of a bankrupt *roturier*, who a few days before had thought his wealth entitled him to treat all his acquaintance with haughty condescension.

The fact no doubt is, that when Napoleon III. warily refrained either from explicitly rejecting or explicitly accepting Count Bismarck's offer, his motive was to hold himself free to demand, when the right moment came, still better terms. He looked forward to a long war, exhausting to both antagonists, but to Prussia, in all probability, fatal; and he believed that at the end of it he would be able to step loftily forward as the supreme arbiter of the destinies of the belligerents, and to secure all sorts of good things for the mere asking. Under the

influence of these anticipations, while refusing to commit himself in any way on the Prussian statesman's proposal, Napoleon had conceded all that Prussia really desired, — the neutrality of France, — while the attitude he himself assumed enabled the Court of Berlin to meet Benedetti's subsequent suggestions with the unanswerable reply: "You are too late! Had you accepted our original offer, we should, of course, have been true to our engagements. You declined to commit yourself, and we also are uncommitted."

That Louis Napoleon had confidently counted upon the triumph of Austria is no mere conjecture of ours. With that conspicuous want of judgment, which the world in general, dazzled by the sudden blaze of his elevation, was long unable to discover, he made this conviction public in one of those oracular letters to his Minister of State, which form a curious feature of his government. The letter we refer to was addressed to M. Drouyn de Lhuys on the 11th of June, 1866, on the eve, that is, of the Austro-Prussian conflict. In this most injudicious document Napoleon lays down — under a conditional form indeed, but not the less dogmatically on that account — what the foreign policy of his government is, as far as the belligerent states are concerned. Had the conference which he had suggested to these states taken place, M. Drouyn de Lhuys would have been instructed to declare therein, that France would only require an extension of frontier in case the European equilibrium were destroyed. The German modifications which the imperial policy would have urged at that conference would have been the following: For the secondary states he would have asked a closer union, a more powerful organization, and a more important share in the Confederate system; for Prussia, more homogeneity and force in the Northern direction; for Austria, *the maintenance of her great position in Germany*, but the cession of Venetia to Italy in return for an equitable compensation.

Why Louis Napoleon should have committed himself to a categorical prophecy of this kind seems inexplicable, unless on the hypothesis that, by dint of constantly attitudinizing as "the man of fate," he had ended with really supposing himself to be infallible. In this case, at any rate, Fate signally dis-

proved his familiarity with her decrees. The results of the Austro-Prussian conflict were as directly the reverse of the Emperor's expectations as they could well be. The secondary states, — those, at least, north of the Main, — instead of acquiring a closer union and larger share in the Confederate system, were subjected to the hegemony of Prussia, which had annexed Hanover and the Elbe Duchies, and made herself the absolute mistress of the military forces of a population of twenty-nine millions. Finally, Austria, so far from retaining her "great position," found herself absolutely excluded from Germany, and had to cede Venetia without any compensation whatever. This was, indeed, cancelling the treaties of 1815, but cancelling them to the profit of Prussia and Italy alone, and to the serious detriment of France.

But the letter of the 11th of June had contained a declaration as well as a prophecy. In case the equilibrium of Europe were disturbed, France would require territorial aggrandizement. The hypothesis had been most signally fulfilled, and, as a matter of course, the world looked for the fulfilment of the consequence also. Was the Luxemburg affair, with its humiliatingly impotent conclusion,* the sole effort made in that direction. Most certainly not, as the Times's "secret treaty" plainly shows. But whatever these efforts may have been, — however numerous and however importunate, — it is certain that they met with only one reception from Prussia, — a civil but decisive negative.

From that hour the fate of the Empire was virtually sealed. Its prestige was gone. The idea of French supremacy, which had hitherto been associated with it, almost as its synonyme, proved baseless, and it was left to hold its own, as it best might, on its own intrinsic merits.

* The little Grand Duchy of Luxemburg had been a member of the late German Confederation, and its capital — one of the most strongly fortified places in Europe — had been declared a federal fortress by the treaties of Vienna, and was garrisoned exclusively by Prussians. This arrangement was, of course, invalidated by the dissolution of the Confederation, and France seized the opportunity to negotiate for the acquisition of Luxemburg. This acquisition would have satisfied the terms of the celebrated letter of the 11th June, and would have given France another stronghold against Germany. The failure of the negotiation before the opposition of Prussia, and the compromise of a mere demolition of the fortifications, which France had to accept, will be remembered.

Louis Napoleon had at least sagacity enough to see how desperate was the position which he had made for himself. But his efforts to secure the retrieval of that position were as little marked by true statesmanship as the conduct by which he had compromised it. As a first step, — with, apparently, some faint hope of throwing the responsibility of the letter of the 11th June from its writer upon its recipient, — M. Drouyn de Lhuys was summarily dismissed, and a circular was issued by his *ad interim* successor, contradicting, as plainly as decency would allow, all the positions laid down in the letter referred to. According to M. de La Valette, the efforts of Germany at unification were worthy of all encouragement. They were only "an imitation of France," and were calculated rather to draw the two nations closer together than to separate them. The modern tendency of the European peoples, indeed, to group themselves according to nationalities, gradually absorbing the secondary states, sprang evidently from the desire to secure for their general interests more efficacious guaranties. In short, "from the more elevated point of view from which the imperial government surveyed the destinies of Europe, the horizon appeared to it wholly freed from menacing eventualities"; and France herself could discern nothing, on any side, calculated either to impede her progress or to trouble her prosperity.

We give here only the conclusions of Marquis de La Valette's elaborate and skilful exposition. Unfortunately for his impressiveness, it was incumbent on the writer to add a paragraph which, by no logical *tour de force*, could be fitted into the argument. "The results of the last war," the Marquis was compelled to say, "contain a grave lesson for us. *They point out to us the necessity, for the defence of our territory, of perfecting our military organization without a moment's delay.*"

A singular necessity, truly, to spring from the disappearance of all menacing eventualities! The proverbial dialectic readiness of the Frenchman seized at once upon the *non sequitur*, and when M. Rouher favored the Corps Legislatif with an oratorical *rechauffé* of the Minister of State's circular, Jules Favre, amid a scene of stormy agitation, put to him the following formidable dilemma: "Either the speech you have

made us is a mere piece of conventional show (*n'est autre chose qu'une ostentation nécessaire*), corresponding in no way to notorious political realities, or you are bound to withdraw the bill for military reorganization, which you have just laid before us."

But, by that fatality which proverbially attends untruth in every form, poor M. Rouher was not contented with retailing the fallacies of his superior. He must needs, in his zeal, develop and expand them. Germany, more homogeneous, M. de La Valette had said, approaches us nearer in sympathies, and so gives us additional guaranties of peace. "France must congratulate herself," exclaimed M. Rouher, "to see the old German Confederation, an enormous mass of seventy-five millions, whose purely defensive character was a mere illusion, broken up, as it now is, *into three fragments*."

It would be difficult to imagine any position more flagrantly in contradiction, not only with the uneasy national presentiments of the moment, but with the common-sense view of Europe in general. The evil genius of the Emperor — the man who, with sleepless vigilance, and with a political penetration rarely matched, had now set himself to undermine the pasteboard colossus — saw his opportunity, and seized it at once. M. Rouher's rash fallacy had scarcely been uttered, when Count Bismarck quietly gave to the world the secret treaties of defensive alliance which, immediately after the Peace of Prague, had virtually conferred upon Prussia the military control of the Southern German States, as well as of the Northern. The incredulous smile with which Europe had received the French Minister's speech was changed at once into a derisive laugh, and the Emperor had to endure a public humiliation. Of M. Rouher's "three fragments," two were shown to be really one, and the third was crippled Austria!

The situation was growing daily more critical. What was to be done? To arm France rapidly but unostentatiously, perhaps for a mere assertion of power, perhaps for a desperate struggle, to soothe popular anxiety and remove popular discontent, were the ideas which suggested themselves at once to the imperial mind and which were at once translated into action. The grand "Universal Exposition" of 1867 would

contribute greatly, it was thought, to the latter of these objects. It would give enhanced wages to numberless artisans, it would attract hosts of generous and magnificent visitors to Paris, and would make that city, for the time being, literally the brilliant metropolis of the civilized world. To some extent these anticipations were realized. But — as if Fortune were weary or ashamed of her late favorite — even this dazzling show was not to pass without its episode of humiliation. In the middle of an imperial *fête* a telegram, it is said, dated Queretaro, Mexico, was handed to the Emperor, containing the terrible words, "Maximilian was shot to-day." No wonder that Louis Napoleon's cheek blanched and that his eye quailed as he read that sentence. The noble young enthusiast, whose miserable death it recorded, had been placed by *his* hand on that fatal throne; and the ephemeral empire, on whose *débris* the youthful corse was flung, had been kept together only by the blood and treasure of France. Among all "sad stories of the deaths of kings," this was one of the saddest, if its painful accompaniments be taken into account.

But if the Emperor's fantastic dream of a Latin Transatlantic counterpoise to Anglo-Saxon expansion had proved a melancholy failure, if Prussia had struck from his hand the sceptre of European supremacy, and Count Bismarck had shown the shallowness of his claims to political wisdom, Louis Napoleon, with a nation like France at his disposition, — a nation so great in every sense, of such vast resources, such ready enthusiasm, such self-reliance, and such rare military instinct, — could still hope to retrieve everything, to recover all, or nearly all, he had forfeited, and to see himself again mighty as the acknowledged representative of the interests and desires of the French people.

To do this, it was, probably, only necessary to appreciate accurately the prevailing national tendencies of France, and to accord to these a frank and legitimate recognition. Now in nations constituted as those of Europe chiefly are, where what may be called political education is confined almost exclusively to the "wealthy and intelligent" minority, while the mass of the people possess, if any, only the vaguest and most elementary notions of government and systems of govern-

ment, the index to national tendencies must be sought perforce in the politically educated minority alone. The stolid, intellectually inert rural population of France, upon which the Empire rested, is utterly incapable of theorizing in politics. To it absolutism and constitutionalism are words alike void of meaning. "Red Republicanism" and "Socialism," on the contrary, convey a clear conception to their minds, and that conception is the abolition of the rights of property, the forfeiture, without compensation, of the few *hectares* of soil which they have inherited from generation to generation, or purchased with the toil-won hoards of many patient years, and every furrow of which has been fertilized with the sweat of their brow. "Government" to these men means the strong arm that can secure them against forfeiture of this kind, — this, and nothing more. Details to them are mere surplusage, and names are but empty words. Call your government absolute or constitutional, at your good pleasure. Let your ministers be responsible or irresponsible, bridle your press or give it the rein, do anything, *au nom de Dieu*, to suit your fancy, but *dame!* save us from Socialism and Red Republicanism! Leave us our little ground in peace. Let us drink cider from our own orchards and eat *galette* of our own barley as our forefathers did, and we will pay our taxes cheerfully, and you may go on speechifying about politics in your Chamber there for ever and ever.

There is no doubt that this is, as nearly as possible, the view taken of politics by the mass of the rural population in France, and that had Louis Napoleon possessed a sufficiently unbiassed judgment, with sufficient decision of character and largeness of views, he might have converted his autocratic government into a limited monarchy, and so have secured the support of the intelligent minority, rendered his throne stable, and France herself doubly powerful by a genuine national unity, without risking in any way the loss of his rural supporters. An inkling of this seems, every now and then, to have crossed his mind. But the curse of the *Idées Napoléoniennes* — the despot's idea that government means autocracy and that politics mean cajolery — lay heavy upon him and dragged him down. A few short months after the eulogy on absolutism pro-

nounced on opening the session of 1866, we find the Emperor coming forward again as a letter-writer, but with opinions diametrically opposed to those of the speech from the throne. "Aujourd'hui," he writes to his Minister, on the 19th of January, 1867, evidently under the influence of the ideas just now referred to, — "aujourd'hui je crois qu'il est possible de donner aux institutions de l'empire *tout le développement* dont elles sont susceptibles, sans compromettre le pouvoir que la nation m'a confié." After this injudicious "finality" exordium, the imperial scribe proceeds to develop his thesis. The discussion on the address has proved a mere wasteful tourney of words. It is abolished, and the right of ministerial interpellation, "prudently regulated," is granted in its place. The Ministers are to be present in future in the Chambers and to take part in the debates; the law of public meetings is to be modified, and the *délits de presse* are to be transferred from the discretionary power of the government to the tribunals of correctional police.

These concessions, which the Emperor pompously called "le couronnement de l'édifice élevé par la volonté nationale," were, it will be perceived, sufficiently meagre. They had, however, this peculiarity about them, that they corresponded, almost article by article, with the programme of the celebrated minority of forty-six, who had signed the amendment to the address of the previous session! Now this amendment had been rejected, with scorn and indignation, by the imperialists of the "Right" as an insult to the crown, a miserable dallying with revolution. The profound lucubrations, therefore, of this imperial master of political wisdom resulted in measures which were received in sullen, shamefaced silence by his most enthusiastic supporters, and coldly welcomed by those whom they were meant to conciliate, as an unavoidable concession to the pressure of circumstances.

But the autocrat could not yield up even this meagre portion of personal power loyally and honestly. Every possible device was resorted to to extract the kernel from the ceded franchises and leave their recipients nothing but a shell. Public meetings for electoral purposes were, indeed, allowed within certain fixed dates; but so many minute formal regulations, with severe penalties for infringement, surrounded the privilege,

that few would care to avail themselves of it, and in any case the Minister could forbid and the *préfet* dissolve, at pleasure. In press matters the same dishonest, tricky course was pursued. The penalties of imprisonment and of arbitrary suppression were done away with; but a system of exorbitant fines was substituted, which could easily be so worked as to ruin any obnoxious journal; and while printer and publisher were exempted from the obligation of a license, the writers themselves (whom a law of the sham Republic of 1848 still compels to sign their contributions with their true names) were subjected to a five years' deprivation of political rights, — an especially heavy penalty in France, where politics form an honorable career, in which the press is the ordinary starting-point. As for the transfer of competency to the Tribunals of Correctional Police, the French Magistracy, especially in its inferior grades, has become of late years so completely the tool of power that this concession was, in strictness, no more real than the others.* Thus the main results of the trumpeted reforms, taken altogether, were aggravated irritation and mistrust, with slightly increased facilities for their manifestation.

But even these measures, pure snares and delusions as they were, took many months to assume a practical form; and when they did so, which was not until 1868, signs were already abroad of another imperial *volte-face* in the reactionary direction. Bristling with penal formalities, however, as the new press law was, the mere abolition of the arbitrary *régime*, although barely more than nominal, gave a stimulus to journalism which proved incontestably how great that expansive force must be which could produce so much when the repressing weight was lightened so little. Within six weeks from the promulgation of the law, thirty new papers had sprung up in Paris alone, conspicuous among which was Rochefort's *Lan-*

* The above assertion will scarcely be called in question by any one who went carefully through the report of the late trial of Prince Pierre Bonaparte. A remarkably able French contributor to the London *Pall Mall Gazette* writes in January last as follows: "The Magistracy, under the reign of Messrs. Baroche, Delangle, and Troplong, has failed to withstand the deplorable influences surrounding it. No one believes in the guaranty of irremovability, and as all promotion is in the hands of government, ambition is naturally fostered at the cost of conscience."

terne; while the provinces, within the same brief period, added sixty-five to their original starveling supply.* Endless press trials were the immediate result, — convictions virtually inevitable, and penalties excessive. The daring and force, however, of the partially unchained giant defied all terrors of the kind. If one arm only was free, he was ready at once for the mortal combat, and the terrified government understood too late how implacable was the foe it had to deal with.† "Nous en sommes toujours aux procès de presse qui se multiplient," writes the brilliant "chronicler" of the *Revue des deux Mondes* in December, 1868. And so it went on, day after day and month after month. Always the same old story, the same irreconcilable enmity, the same stern lessons, the same stubborn heedlessness, the same fated results.

But how was it, meanwhile, with the real creators and sustainers of the Second Empire, — the rural population? For these, as we have already pointed out, the Napoleonic *régime* represented two broad elementary notions, — the notion of French supremacy, satisfying their Gallic craving for glory; and the notion of authority, satisfying their economic requirements. Now the former of these notions had already received shock after shock, — the formidable rivalry of Prussia, the ignominious failure in Mexico, the checkmate in the Luxemburg game with Bismarck as well as in the Polish game with the Czar.‡ Before reiterated blows like these the cherished faith in France's leadership of Europe was gradually giving way; and now the unhappy necessities of the case compelled the government itself to weaken the basis at least of the other elementary notion, — the absorbing economic interests of these peasant proprietors, the Empire's true constituents.

* So completely had the discretionary *régime* succeeded in killing the provincial press, that at the commencement of 1868 seven of the largest provincial towns, representing an aggregate population of nearly a million and a half, only possessed eleven daily papers among them, whose total circulation did not reach one hundred and thirty thousand!

† The government attempt to revive the preventive system in a prohibition to advertise subscriptions for a monument to Baudin, one of the victims of the *coup d'état*, was openly defied by the whole independent press of Paris (November, 1868).

‡ This was in 1863, when France had to abandon her warlike attitude in favor of poor oppressed Poland, on the refusal of England and Austria to back her. The humiliation here could only exist for a country which so constantly boasts itself more than a match for "coalesced Europe."

The census of France, for some years back, has puzzled statisticians, scandalized moralists, and delighted an influential school of Political Economy, by showing an annual increase of population greatly below that of any other country in the civilized world. Extraordinary and offensive theories of French immorality have been based upon this singular fact, — theories overthrown at once by the census tables themselves, which demonstrate that the one hundred and eighty-five *arrondissements*, whose actually diminishing population explains the low general average of increase, are not those in which the large towns — the haunts of vice — are situated, but those which are specially classified as "agricultural." The true key to the deficiency is unquestionably supplied in a very able paper upon the census of 1866, which was read before the French Institute by M. de Lavergne. This paper establishes, beyond dispute, a direct relation between the ratio of increase in population and the amount of the annual contingent claimed by the conscription. With a contingent of forty-six thousand men, population increases at a tolerable rate; with sixty thousand, its progress becomes sensibly slower; with one hundred thousand, there is as nearly as possible an equilibrium between births and deaths; and, when the contingent rises to one hundred and forty thousand men, the population actually declines. The conscription, then, is the true cause of the quasi stationary condition shown in the French census-tables. It is the drain of the vigorous youth of the country, which, taking the spring out of the year (to use a singularly vivid classical metaphor),* deadens its productive power, and, in accordance with an elementary economic law, diminishes the vital energies in like ratio.

Upon a rural population of peasant proprietors the conscription falls with exceptional severity. The young man it carries away represents the farm laborer, who, as the son of the house, works with all the heartiness and intelligence that community of interests proverbially inspires. To supply his place, even

* Τὴν νεότητα ἐκ τῆς πόλεως ἀνηρῆσθαι, ὥσπερ τὸ ἔαρ ἐκ τοῦ ἐνιαυτοῦ εἰ ἐξαιρεθείη. (Arist. *Rhetoric*, i. 7. 2.) Aristotle gives the words as a quotation from Pericles's celebrated funeral oration. But the metaphor was evidently a favorite with the Greeks, as we find it in Herodotus also (vii. 162).

inefficiently, is a heavy tax upon the farmer; and to provide a substitute is much oftener beyond his means than is the case with the city artisan, who has not, moreover, an equally strong personal motive to incur the expense.

No wonder, then, that the new military law of 1867, — the law so illogically demanded in M. de La Valette's circular of September, 1866, should awaken discontent even among these, the Emperor's stanchest supporters. This law, indeed, came out of the legislative crucible in a much milder form than that originally given to it, — thanks to the strong repugnance manifested by the entire nation to its first provisions. It added two years, however, to the whole term of service, but diminished by two the time to be passed in the active division of the army, and permitted marriage, after the first of four years in the reserve. The annual contingent was made one hundred thousand men (at which figure population becomes, according to M. de Lavergne, stationary), giving France a peace establishment of seven hundred and fifty thousand men, — five hundred thousand in the active army, and two hundred and fifty thousand in the reserve. Besides this, in imitation of the Prussian *landwehr*, all the young men not drawn for the annual contingent, or who are exempted from any other cause than under-size or bodily infirmity, were formed into a *Garde nationale mobile*, or *Garde mobile*, as it is commonly called, subject to fifteen days' — *not consecutive* — drill in the year, and liable to be called out for home service only, and that by a special law. The effective force of this body was estimated at half a million.

The state of things to which, by the end of 1868, Napoleon's "rare political wisdom" had brought France was simply this: abroad, her continental hegemony was virtually gone, her prestige obscured: at home, the consciousness of this eclipse had produced a general sense of humiliation,* extending to every class, and penetrating into every household, without distinction. Taking the country by sections, what do we find? A rural population, wavering in their simple Napoleon-worship, and distrustful of the future; operatives and proletaires, — direct legatees of the sanguinary fanaticism of

* The rise of Prussia, according to a writer in the *Revue des deux Mondes*, was regarded, throughout France, as *une sorte de déchéance*.

'89, and of that alone,—just as bitter in their hatred of imperialism as if they had never eaten bread from the Emperor's hand; * a *bourgeoisie* intensely irritated at the tricky, insincere, shilly-shally policy, opposed to their own earnest and fervent struggles for enfranchisement, and gradually losing all awe of a man in whose reputed sagacity and decision of character they no longer believed; a priesthood with sentiments very much akin, *mutatis mutandis*, to those of the operatives, eager to snatch at every good thing put in their way, but perfectly aware that the sole tie between themselves and the Empire was the need they had of each other for ends often discordant, and perfectly ready, at any moment, to change the blessing into an anathema, should their exclusive, corporate interests so demand; † and, finally, the imperialist party proper, the Emperor's immediate adherents, profoundly dissatisfied by his concessions to their opponents, and, like them, utterly distrustful of the fast-and-loose policy, which seemed to be guided by no fixed principles whatsoever.

The elections of 1869 threw a startlingly clear light upon the state of parties, and revealed to Louis Napoleon the abyss upon whose slippery edge he was standing. Upon literally the very eve of these elections, however, the Emperor, with almost incredible want of tact, flagrantly insulted the retiring Corps Legislatif by deliberately overriding one of its formal acts, and placing himself again before the disaffected country in the character of an autocrat, pure and simple. ‡ At this same time

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* At the "Workingmen's International Congress," held at Brussels in 1868, the portion of the Annual Report contributed by the French delegates is nothing but a bitter impeachment of their "would-be patron," the Emperor. "The French government, of course," it begins, "takes the lead in reactionary proceedings against the working classes." Such is the gratitude for some two hundred million dollars of public money spent upon Paris alone!

† On the Roman question, the priesthood turned at once against the Empire, and, during the Italian war, they were only partially prevented from offering public prayers for the success of Austria! Louis Napoleon retaliated by the suppression of the Societies of St. Vincent de Paul,—an act which exposed him to furious clerical abuse.

‡ An increase of some $ 50,000 on the school vote had been refused by the Chamber, after an animated discussion. A few days afterwards, a report from the Minister of Public Instruction appeared, with the imperial *approuvé* at foot, blaming this action of the Chamber, and coolly stating that not only $ 50,000, but $ 60,000, had been taken from other services, and appropriated to make good the injudicious parsimony of the legislature (May, 1869).

liberal ideas were so prevalent that even official candidates, although just as strenuously backed by the administration as ever, gave a certain constitutional coloring to their addresses, and, in many cases, affected to have no personal relations whatever with the *préfet*, who carefully kept up the deception. In spite, however, of bribery, corruption, and trickery, of all kinds,* the elections gave three and a half million votes to the opposition, and the Corps Legislatif of 1869 showed itself a regular parliamentary body, prepared for that healthy discussion of measures and principles which is utterly irreconcilable with the *régime* which Louis Napoleon had labored to found.†

But when this state of things had become as clear as the light of day, had the Emperor penetration enough to take a correct measure of his position, self-denial enough to accept its necessities, and wisdom enough to adapt himself to them loyally and without reserve? On the contrary, this, the most critical part, and in fact the turning-point of his career, full of grave lessons and clear-spoken warnings, suggested nothing to that man of little faith but another arch-juggle, which filled up the measure of his misdeeds.

As in all previous cases, the Emperor began by affecting to yield completely and unreservedly to the declared wishes of the nation. Parliamentary government, since such was the country's desire, was precisely what he most approved of and was most eager to carry out. Accordingly a decree was introduced (8th November), sharing with the Corps Legislatif his hitherto jealously guarded initiative. Senators and deputies were made eligible to the Cabinet; each legislative body was to decide upon its own internal regulations, and members of both had the privilege of putting questions to the Ministry. The budget was to be voted by chapters and articles, instead of in lump

* The close supervision exercised over the rural electors may be inferred from a liberal device, which consisted in erasing the official candidate's name from the government voting-papers, which were of a particular form, and writing an opposition name in its place.

† In the new Chamber, the "Right Centre," or constitutional imperialists, numbered one hundred and twenty members, led by Emile Ollivier; the "Left Centre," or moderate liberals, numbered forty-one; and the extreme "Left," twenty-nine members.

sums by state departments; modifications of the tariff could only be made valid by legislative enactment; and amendments disapproved by the government were to be pronounced upon in the last appeal by the Chamber.

The chief value of these concessions lay in the additional leverage which they promised to afford to the influence of the representative assembly, and the leading section of the opposition — the *centre droit*, which numbered one hundred and twenty members — hastened to raise itself to the level of the situation. Abolition of the hated law of public safety and of official candidature, suppression of the stamp on newspapers, trial by jury in *délits de presse*, administrative decentralization, and liberty of superior instruction, constituted the programme put forward by this section of the Chamber, and indicate clearly enough the points upon which reform was most loudly demanded. The Emperor accepted this programme at once, and with an ostentation of constitutionalism which produced a marvellous effect for the moment, he actually dismissed his former Cabinet, and summoned "the leader of the opposition," M. Ollivier himself, to his counsels, giving him *carte blanche* instructions to form a new Ministry. This act created a veritable enthusiasm, not only in France, but still more perhaps in England, whose usually cautious press sang pæans over this imperial conversion, as over the commencement of a new era among their neighbors of peace, prosperity, and Arcadian happiness.

The enthusiasm was short-lived. While the country was waiting impatiently for the reform bill which was to realize the policy of the *centre droit*, for the dissolution which must logically follow it, and for the consequent formal installation of parliamentary government, the Emperor forgot, amid the smiling world around him, the abyss beneath his feet, and turned yearning eyes upon the dazzling prize of personal power which seemed just about to slip from his hands forever. Was it too late, even now, to save this darling possession, with all its fascinations and excitements? No, a light flashed upon him; a chance still remained. The Constitution of 1852 had been battered and disfigured indeed, but it still remained unrepealed, and the sixth article of that Constitution ran thus: "The Emperor is responsible to the French people alone, to whom he has at all times the right to appeal."

Here was clearly the opening to a restoration of the golden age of autocracy. If France had sent up to Paris a legislative body with a troublesome element of opposition in it, that element, after all, was a minority which, with proper management, might be rendered of no effect. Let France *re-elect the Emperor* by a majority of millions, — one of those majorities which, with careful manipulation, can easily be insured, — and the Emperor, like another Antæus, will, by contact with the universal suffrage which gave him birth, recover all his strength, and neutralize in his single person, as directly representing an overwhelming majority of the nation, any section of the Chamber which may oppose his will.

By a fortunate accident the man whose accession to the imperial counsels as "leader of the opposition" had proved such an effective stroke of generalship was precisely the sort of man — fluent, shallow, and vain — to be made the instrument for carrying out this new plot. The pretext, too, a most serviceable pretext, was ready at hand. If the Constitution of 1852 had been established by an appeal to universal suffrage, or a *plebiscitum*, as Napoleon chose to call it in the classical jargon of the first Revolution, that Constitution could, of course, be essentially modified only by the same authority. The logic was irresistible, and M. Emile Ollivier accepted it. But if irresistibly logical, how did such a proceeding agree with constitutional maxims and with common sense? The Chamber just then assembled had been elected by universal suffrage. The plebiscitum therefore would, in the last analysis, be simply an appeal to the same authority on its own decision, but now recorded. A confirmation of that decision could not give it additional force, while a reversal of it would discredit universal suffrage as a foundation of stable government altogether. But the real danger which lay in the plebiscitum was of a very different kind. Such a vote is really given under constraint. It is a choice between two fixed alternatives, "government or anarchy." Discussion and qualification are alike excluded. It is the favorite dilemma of the cross-examining lawyer on a point the whole significance of which lies in its surrounding conditions: "I want none of your reasons, sir, no chopping logic here. Give me a straightforward, honest, answer, — yes or no."

The opposition saw through the scandalous imposture at a glance, and held it up to scorn in terms of glowing indignation. But it was in vain. The majority — a majority made up, it must be remembered, under the old system of official candidature — was relentlessly against them, and the renegade Ministry carried the plebiscitum through the Chamber by one hundred and seventy-one votes against forty-eight. Immediately previous to the appeal to the country, one of those "frightful conspiracies," in the mounting of which the Paris police have had such large experience, was got up for the occasion, and vigorously advertised. The "Red Republican" spectre, no matter how clumsily imitated, has never lost its terror for the peasant proprietor, and "the Beaury conspiracy" proved a great success. Seven million three hundred thousand ayes, against one million five hundred and fifty thousand noes, ratified the Constitution of 1852, with modifications, and restored to Antæus — as he fondly believed — his pristine giant's strength. The Corps Legislatif, indeed, was a little more difficult to deal with than of old. But still the great majority made it less troublesome, and M. Emile Ollivier had already settled down into a mere imperial mouth-piece, another Persigny or Rouher, modernized by a thin coating of liberal varnish. Of a dissolution nothing more was said. "We have five years before us," coolly observed the Prime Minister, "to carry out our programme, — the five years that the legislature has yet to run!"

The triumph was a grand one. It amounted, for all political purposes, to a restoration of personal government, to a pacific repetition of the *coup d'état*. Still, two or three incidents of the plebiscitum had a good deal in them calculated to produce anxiety. The great cities — Paris, Lyons, Marseilles, Bordeaux — had all voted against it; the proportion of *noes* had been largest in the best educated and most influential departments, smallest in the poorest and least educated;* and, more serious than all the rest, the army, the supposed strong-

* A Paris journal (*Le Temps*) published an elaborate analysis of the vote on the plebiscite vote, showing that in the seventeen best educated departments of France the noes were 26 per cent, while in the twenty-three least educated they were only 11½ per cent.

hold of Napoleon-worship and the most elaborately favored as well as the most vigilantly watched of all sections of the population, had actually given a percentage of negatives larger than that of the agricultural departments;* while in some cases (at Strasburg, for instance) the ominous cry of *Vive la république!* had startled the barracks. This last incident was altogether new and of the gravest significance. The system of conscription in France — drawing yearly some one hundred thousand of the youth of the land into the military service, and returning about the same number of trained soldiers to civil life — has at least the merit of maintaining a constant "solidarity" between the army and the people, and of rendering the employment of the former against the latter, as an instrument of oppression, next to impossible.† It contributes also powerfully, no doubt, to foster that military sentiment which is a national characteristic, and has a marked and decisive influence upon the direction and tone of that sentiment. A disaffected army, therefore, is a serious matter for any government; for a Napoleonic government it was much more than serious. At the same time symptoms became apparent which indicated that the Corps Legislatif, in spite of its official majority, would not prove by any means so tractable as had been anticipated; nay, that there was positive danger of its forcing the Ministry along the path of liberalism much more rapidly than had been contemplated or desired.‡

There was a good deal here that had an ugly look of failure about it, and it was under the influence of the forebodings thereby generated that the Emperor finally resolved upon playing his last card, — a great war, which should reassert France's military supremacy and restore to the Second Empire that prestige without which the authenticity of its lineage seemed always opened to doubt.

Into the details of that war and its tragic catastrophe, still in process of consummation, we cannot enter here. What we

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* Viz. 14¼ per cent, or 50,000 noes against 300,000 ayes.

† Louis Napoleon was quite aware of this solidarity, and did his best to counteract it, by encouraging, among other things, the re-enlistment of soldiers who had completed their term.

‡ The Chamber, for instance, passed a bill, in opposition to the government, enabling the *conseils généraux* to discuss political questions.

have wished to describe has been, the series of mistakes by which Louis Napoleon was led into this, his last great venture, and to set forth the state of things, resulting directly from his political errors, which rendered the collapse of his government inevitable before the first well-directed blow. One of the most sagacious statesmen of our century, in conversation with an English friend, remarked of the French Emperor: "He has no definite policy. He has a number of political ideas floating in his mind, but none of them matured. The only principle, if principle it can be called, which connects together these various ideas is the establishment of his dynasty, and his conviction that the best way to secure it is by feeding the vanity of the French people. It is this uncertain policy, guided by selfish and dynastic considerations, which makes him so dangerous." We believe the accuracy of Count Cavour's estimate to be strictly borne out by all that we have detailed above. Napoleon III., in character and ideas as in fortunes, was simply the result of certain antecedents, and above this level of ideas he never rose. He had intelligence enough to discern that the dazzling military career of Napoleon I. had made upon the national vanity of France an impression far deeper and more general than many much wiser men than himself supposed. And he had wit enough to divine that, with a country in a state of chronic revolution, — a country so profoundly disordered, politically and morally, that, like a fretful invalid, it passed with feverish impatience from one remedy to another, without faith or hope in any, — the turn of the Napoleonic nostrum was sure, sooner or later, to come. In cases of this kind, men of one idea, provided only that idea be the right one, are the successful men, because, ever on the watch, the flood-tide cannot possibly escape them. Twice, Louis Napoleon mistook, with almost ludicrous incapacity, the signs of that tide, and when its swell at last bore him to fortune, little more action was needed on his part than simply to yield to the set of the current and keep himself at the surface. All the rest was done for him.

His grand mistake — a mistake from the trammels of which he was fated never to extricate himself — was to imagine, as his uncle had imagined, that the Napoleonic enthusiasm repre-

sented *the whole* of the national character instead of a side of it only; that France had no nobler aspirations than he himself had. Varied experiences had proved to Louis Napoleon that there were other social forces to work than those upon which his own political theory was built. But, like all men of one idea, he was wholly unable to appreciate the intensity of these forces, and he treated them throughout merely as subordinate disturbing influences, which must be simply humored or cajoled to a certain extent. This narrow and essentially selfish system has failed, as it was inevitable that it should, and its representative has already taken his place in that long line of historic personages, who seem to have lived only in order more forcibly to point an old moral by adorning a new tale. In the sudden eclipse indeed of this man's dazzling splendor there is a depth of tragedy far more solemnly impressive, for us of this nineteenth century, than anything which the ordinary teachings of history can show. Alexander the Great and Julius Cæsar vanished from mortal gaze in the very zenith of their glory; but the hand that hurried them away was the hand of the Irresistible, and the lesson conveyed was material rather for the preacher than for the moralist. The fall of the great Napoleon was a gradual one, brought painfully about by external forces concentrated against him, and due, apparently at least, as much to the necessary antagonism of the old order of things as to any inherent weakness in his own creation. Even the sudden and ignominious collapse of the "Monarchy of July" had its explanation in the deficient moral courage of Louis Philippe and his advisers, rather than in the intrinsic defects of the *régime* over which they presided. But the miserable ruin which has overtaken Napoleon III. belongs to an entirely different category from these. Leaving Paris in the morning, surrounded by all the splendid insignia of boundless power, innumerable hosts marshalled at his beck, and awe-struck Europe waiting with ready hands to applaud his successes, this man in the evening stands utterly isolated from all that pride, pomp, and circumstance. At the very first reverse, the whole glittering pageant seems literally to fall away from him, as magic jewels and trappings in some fairy tale vanish, at an ill-omened word. France, insensible to fear, pours out

blood and treasure, without stint or reserve, in the unequal conflict. But for him not one sou, not one drop, is devoted; and when, conscious that the magnificent capital which has grown beneath his hands into a city of palaces has no longer any shelter to give him within its walls, he takes refuge with a pitying foe, the place he leaves vacant is scarcely marked, and France, so sensitive and sympathetic, has no single word of regret for the unwept and unhonored exile.

And now that the Second Empire has worked out its destinies and woven its own shroud, how tempting is the opportunity to speculate on what lies beyond! The proclamation of a Republic has already awaked lively sympathies here, as it could not but do, and general opinion hails the transformation as an accomplished and *permanent* fact. We wish we could share in this view; but, looking realities in the face, we find little encouragement to do so. *Nascitur, non fit*, is a proposition fully as applicable to political systems as to poets. Forms of government do not create the special conditions which their proper working supposes, but are themselves developed from those pre-existent conditions. The germ of American republicanism was contained as essentially in the political principles and training which the Pilgrims brought out with them from England, as the oak is contained in the acorn. The oak and the republic are alike results of an evolution from within, modified by the influences acting from without. But where is such a germ to be traced either in France's historic antecedents, in her public life, or in her social tendencies? The principle of equality is no doubt firmly rooted in the French character. But this principle, although an indispensable element of republicanism, is perfectly reconcilable with the most absolute despotism, as Eastern history notoriously shows. It may furnish the cement to bind the foundation, but possesses, in itself alone, no sustaining power. If we turn to the public life of France, the prospect is still less promising. One of the marked characteristics of members of the Celtic race is an imaginative enthusiasm which predisposes them to grandiose theorizing and visionary speculation, while they turn away with dislike from common-sense realities and practical details. The only corrective to a failing of the kind is an obligatory acquaintance with

these realities and a personal interest in these details. But, unfortunately, the political education of the Frenchman is entirely destitute of this corrective. Administrative centralization exists in France to a degree almost inconceivably minute. Without the authorization of the *préfet* or of one of his subordinates, nothing which has, however remotely, a bearing on general interests, can be done anywhere; and the *préfet* himself can authorize nothing without the license of his chief, the Minister of the Interior, in Paris. If a man wants to put up a steam-engine, he must go first to the *préfet;* if he wishes to build a furnace, the *préfet* prescribes certain conditions, which the structure must fulfil; a bridge over a streamlet, a simple parish road, require the approval of a whole hierarchy of councils, with final reference to the inevitable Minister. Thanks to this system, which directly enhances instead of counteracting the dislike for practical details already referred to, the average Frenchman has a perfect horror of political responsibilities, and avails himself eagerly of every pretext, every opportunity, for evading them, — poor promise for republicanism.

If we look back to historic antecedents, we find nothing to encourage us. The Republic of 1848 was simply an oligarchy. Decree after decree was issued by the party in power with the most reckless indifference to the feelings and rights of others. The President and the Assembly were always at war. The minority uniformly refused to recognize the authority of the majority, and was always ready to appeal against it to arms! The first six months of the Republic was a succession of *émeutes*, and in a short time the country found itself robbed of many of the franchises which a monarchy had secured it, — the press gagged, the right of public meeting smothered, the suffrage mutilated!

The "half-way house" of limited monarchy would be our prediction of France's next *stable* phase, if we were rash enough to make a prediction, which we are not.

H. W. Homans.

Art. VIII. — Theodore Mommsen.

Thirteen years ago * the attention of the readers of this review was directed to the name of Theodore Mommsen, and his *Römische Geschichte* was briefly characterized. He was at that time hardly known outside of Germany; and it is probable that this was the first mention made of his name to the American public. He has since come to be recognized all over the world as one of the first of living historians, and by far the first authority upon Roman history and antiquities. His history has been translated into English, and has become a standard authority in England; and I now take the occasion of its republication in this country to attempt a more complete analysis of his qualities as an historian than was then possible, when his work had only recently appeared.

Probably the first characteristic which strikes the majority of Mommsen's readers is the completeness of his preparation for writing history, — the extent and the minuteness of his acquirements, apart from his purely intellectual qualities as a thinker, or the use he makes of his materials as an historical writer. His plan is a vast one, embracing the entire life of the nation, private as well as public; and in every department one is amazed, both at the thoroughness of his knowledge and at the insight which makes the merest trifle serve to illustrate his theme. This is not simply great learning, — that is to be expected as a matter of course in a thoroughly trained German philologist, — but an intimate acquaintance with classical literature, which is the entire stock in trade of most writers upon ancient history, is to this man only his solid foundation, while in every related branch of inquiry he is equally at home. Nor is this merely a show of learning, which, in an elaborate work, might dazzle laymen in each speciality, but which masters would recognize as obtained at second-hand; it is more even than that legitimate use of materials provided by others, which every writer must make to some extent, since *non omnia possumus omnes;* but in each branch of knowledge bearing on

* North American Review for January, 1857.

his subject he has himself done work and conducted investigations which entitle him to the rank of a master. When, therefore, he adopts the results of other inquiries, it is as one competent to criticise and judge their methods and results.

In the common branches of philology, — the criticism and interpretation of ancient authors, — he has not been very active, reserving his strength for more difficult, or at least more special work. Still, even here he has not been idle. Many brief essays attest his industry in this field; for instance, a recent number of "Hermes" (Vol. IV. No. 3) contains an elaborate article by him upon the authorities followed by Tacitus, — an encouraging sign, among many others, that he is engaged in the preparations for the continuation of his history. In especial his chapters upon Roman literature are in themselves philological treatises of the first rank, combining the exhaustive treatment of the philologist with the philosophical and literary criticism of the historian and thinker.

His chief labors, however, have been bestowed upon those collateral branches of philology which most classical students either leave entirely aside or touch only incidentally. In linguistics proper he has made a careful study of the Italian dialects cognate to Latin, that is, just that branch of comparative philology which bears directly upon Roman history. These historical bearings are most important; for his treatises upon "The Lower Italian Dialects," taken together with the investigations of other able scholars in this field, have completely established the truth of the theory first proposed by A. W. von Schlegel, that the Umbrian and Sabellian dialects form one family with the Latin, in other words, that all the Italian nationalities, with the exception of the Etruscans and Japygians and some of those in the North, formed one race, the *Italian*, a sister, not a daughter, of the Greek. If this view is correct, — and it is hardly possible to question it, — Niebuhr's Pelasgian theory, to which so many English writers still cling persistently, falls of itself; and our historian is warranted in laying down as his aim, "to relate the history of Italy, not simply the history of the city of Rome." The nearness of kin of the Celts and the Italians, maintained by so many distinguished scholars, he neither asserts nor denies, thinking the evidence not yet sufficient to pass judgment upon.

In the important and difficult science of "Epigraphik," — the deciphering and interpretation of inscriptions, — Mommsen must be acknowledged to be second to none. It is in this field, indeed, that he has been mainly occupied of late years, as his immense *Corpus Inscriptionum Regni Neapolitani* and other important works testify. Difficult as this science is, and comparatively unknown ground as it therefore presents to most scholars, it is here that the great historian finds much of his most valuable material. For here are contemporary records, — records that have come straight to us from the hands of the ancients themselves, uncorrupted by the blunderings of copyists, the interpolations of partisans, or the emendations of philologists. They are the records not merely of magistrates and wars and statutes, but of the every-day life of the common people, — tombstones, boundary-stones, votive offerings, imprecations, calendars; and in all these, amid much rubbish, there is many a precious bit of knowledge which our author knows how to detect and use. Every new edition calls in the evidence of newly discovered inscriptions, either in supporting or modifying his former views; and nothing illustrates better his sagacity and watchful industry than the changes in the foot-notes to the earlier chapters in the successive editions of the history.

Closely allied to the study of inscriptions is that of remains of art; no discovery in this field, from a statue to a bit of stone-wall, escapes his notice, or fails to teach him just what it is competent to teach. Coins, in especial, have been the object of his attention and the subject of one of his most elaborate treatises, — *Das Römische Munzwesen.* But, as in the branches already mentioned, it is not as a numismatist, but as an historian, that he has made this investigation; his sole object is to learn what coins will teach him in regard to the culture and institutions of the Romans. For coins are full of historical matter, when studied aright. For example, in the fact that the so-called Latin colonies enjoyed the right of coining money of their own, while there exist no coins, either of Roman colonies or of *municipia* with full citizenship, he finds proof that the Roman colonists still remained Roman citizens, while the Latin colonist exchanged his Roman citizenship for a partial independence; and that at all times,

so far as the Roman state extended, there was only one system of money. Again, in the style of the oldest Roman coins, as well as from the comparison of the several alphabets * and systems of weight used in Italy, he is aided in arriving at the important conclusion, one of his fundamental doctrines, that it was from the Greeks, not from the Etruscans, that the Romans derived lessons in civilization.

All these branches of inquiry may fairly be grouped under the head of philology; and philology is the essential foundation for a student of antiquity. Mommsen, however, although possessing the essential foundation, is not, after all, primarily a philologist, but a jurist. If I am not mistaken, he took his degree at the University of Kiel, in the Faculty of Law; and he was, at any rate, Professor of Roman Law for some years at the University of Breslau. It has been announced that he is to prepare the volume on Roman Jurisprudence for Becker and Marquardt's work on Roman Antiquities; and the latest publication of his that I have seen advertised is an edition of the Code of Justinian. The importance of this legal training in its influence upon the mind of the historian can hardly be overestimated. We see it in his strong grasp of legal and political questions, the rigorous logic of his deductions, and the strenuousness with which he insists upon the ideas of law and authority. Even in his earliest published work, the treatise *De Collegiis et Sodaliciis Romanorum*, — his dissertation on taking the doctor's degree, — he vigorously expresses his feeling as a jurist, in criticising some feeble argument of Wunder: "Fateor ignorare me quid philologi ad vim pertinere arbitrentur; iuris periti certe in hac vi deiectioneque non agnoscunt nisi lusum verborum." In still higher terms, perhaps with some degree of exaggeration, a similar sentiment is expressed, in his essay upon *Das römische Gastrecht*, in his *Forschungen:* "He who cannot do this, for the reason that he is not familiar enough with the comprehension and treatment of matters in Roman Law, will do well to leave these inquiries unread; but, for the matter of that, he will also do well not to meddle at all with the older epochs of Rome."

* One piece of evidence, among many, is the fact that the Greek *Odysseus* became *Ulure* among the Etruscans, while the Romans used the Sicilian *Ulixes*.

This combination of juridical and philological training, to which union each element has contributed whatever it had to offer, is the source of Mommsen's distinctive character as an historian. Other writers have traced with as much enthusiasm, as accurate scholarship, and perhaps as much native insight as he the political development of Rome; but no one of them has possessed so solid a basis to build upon, in the thorough comprehension of that jurisprudence which determined this whole development; that is to say, no other historian has been able to treat the Roman constitution from so profound an understanding of the principles upon which this constitution rested. Others have studied its phenomena of growth, he alone has gone to the roots.

He is, therefore, above all things, a political historian, a student of political science, and a thinker upon political questions. In this field, he is fond of lôoking for analogies in other times and nations; from England, especially, he has borrowed a multitude of apt illustrations, recognizing in her, no doubt, the best modern parallel to the character and career of Rome. Thus: —

"The expulsion of the Tarquins was not, as the pitiful and deeply falsified accounts of it represent, the work of a people carried away by sympathy and enthusiasm for liberty, but the work of two great political parties, already engaged in conflict, and clearly aware that their conflict would steadily continue, — the old burgesses and *metœci*, — who, like the English Whigs and Tories, in 1688, were, for the moment, united by the common danger which threatened to convert the Commonwealth into the arbitrary government of a despot, and differed again as soon as the danger was over." — Vol. I. p. 336.

He abounds in general principles and pithy sayings on political philosophy. A rich collection of political maxims and principles might be made from his writings, such as the following: —

"Many nations have gained victories, and made conquests, as the Romans did; but none has equalled the Roman, in thus making the ground he had won his own by the sweat of his brow, and in securing, by the ploughshare, what had been gained by the lance. That which is gained by war may be wrested from the grasp by war again, but it is not so with the conquests made by the plough." — Vol. I. p. 247.

"The belief that it is useless to employ partial and palliative means against radical evils, because they only remedy them in part, is an article of faith never preached unsuccessfully by baseness to simplicity, but it is none the less absurd." — Vol. II. p. 391.

"That faith in an ideal, which is the foundation of all the power and of all the impotence of democracy, had come to be associated in the minds of the Romans with the tribunate of the plebs." — Vol. II. p. 406.

"History has a Nemesis for every sin, — for an impotent craving after freedom, as well as for an injudicious generosity." — Vol. II. p. 299.

"If it is a political mistake to create meaningless names, it is hardly a less to establish the reality of absolute power without a name." — Vol. III. p. 460 (second German edition; Vol. IV. of the English translation).

"Mankind arrives at new creations with unspeakable difficulty, and therefore cherishes, as a sacred inheritance, the forms that have been once developed. For this reason, Cæsar, with good judgment, leaned (*anknüpfen*) upon Servius Tullius in like manner as Charles the Great leaned upon Cæsar, and as Napoleon tried, at least, to lean on Charles the Great." — Vol. II. p. 464.

"The holy feeling of justice and reverence for law, hard to unsettle in the minds of men, are still harder to create." — Vol. II. p. 477.

In regard to disputed questions of political science, it is, perhaps, enough to say that Mommsen is no *doctrinaire*. He is, first and last, an historian, and an historian of Rome; he concerns himself little with abstract theories of government, but on each occasion considers solely what was good for Rome at that time. In general, he sympathizes with any government that does its work well, whatever its form or name may be. "A change in the form of the state," he says, "is not, in itself, an evil for a people." It is, perhaps, easier, however, to show what he does not believe in than what he does believe in; that is, any sham or inefficiency is sure to call upon itself wrathful condemnation from him. He is called an enemy of democracy, and it is true he is an enemy of false democracy, but he is equally an enemy of the common type of monarchy and aristocracy. Thus he says of kings: —

"A fresh illustration had been afforded of the truth that, of all hap-hazards, none is more hazardous than an absolute hereditary monarchy.' — Vol. II. p. 266.

"One of those rare men [Cæsar] to whom it is due that the name of king does not serve merely as a glaring example of human pitifulness [*Erbärmlichkeit*]." — Vol. III. p. 525.

Of aristocracy: —

"The narrowness of mind and short-sightedness, which are the proper and inalienable privileges of all genuine patricianism [*Junkerthum*]." — Vol. I. p. 350.

"It [the Senate] sank in this epoch from its original high position, as the aggregate of those in the community who were most experienced in counsel and action, into an order of lords, filling up its ranks by hereditary succession, and exercising collegiate misrule." — Vol. II. p. 386.

Of democracy: —

"Tyranny is everywhere the result of universal suffrage." — Vol. I. p. 359.

"The proper supports of every really revolutionary party [in Rome, that is], the proletariate and the freedmen." — Vol. II. p. 421.

But if oligarchies and ochlocracies receive no favor at his hands, a really efficient senate, or popular assembly, finds no lack of appreciation. If any one form of government in the abstract appears to commend itself to him, it is the self-government of an intelligent people: —

"The senatorial aristocracy had guided the state, not primarily by virtue of hereditary right, but by virtue of the highest of all rights of representation, — the right of the superior, as contrasted with the mere ordinary man." — Vol. II. p. 386.

"Whatever could be demanded of an assembly of burgesses like the Roman, which was not the motive power, but the firm foundation, of the whole machinery, — a sure perception of the common good, a sagacious deference towards the right leader, a steadfast spirit in prosperous and evil days, and, above all, the capacity of sacrificing the individual for the general welfare, and the comfort of the present for the advantage of the future, — all these qualities the Roman community exhibited in so high a degree that, when we look to its conduct as a whole, all censure is lost in reverent admiration." — Vol. II. p. 403.

If, therefore, his political philosophy is at fault in anything, it appears to be in a disposition to judge actions rather by results than by motives; that is, to be sure, rather as an historian than as a moralist. He guards himself so carefully against

the delusive habit of speculating upon what might have been, and again from that petty temper which refuses to forgive the least obliquity in means, even in view of great aims, that he is too ready to justify whatever turned out well, or even, one almost thinks, whatever was successful in the end, as if it could not have been done otherwise. And in his impatience at weakness and incompetence in great crises, he is apt to overlook or underrate what real efficiency was connected with them, and to pronounce harsh judgment upon qualities and men that failed in their generation, but under other circumstances might have done good service. "For history there are no judgments of high treason (*Hochverrathsparagraphen*)," he says. And again: "It is not proper in the historian either to excuse the perfidious crime by which the Mamertines seized their power, or to forget that the God of history does not necessarily punish the sins of the fathers to the fourth generation" (Vol. II. p. 40); which last assertion may surely be doubted. It is at any rate inconsistent with that quoted above, that "history has a Nemesis for every sin." Moreover, his lawyer's reverence for authority too often leads him to side with power and prerogative, against the impotent cravings after freedom. Hence the principle "that the people ought not to govern, but to be governed," by which he means, however, that the proper demand of reform "was not for limitation of the power of the state, but for limitation of the power of the magistrates."

A man who is an original student and an authority in so many branches of learning — classical literature, antiquities, linguistics, epigraphy, numismatics, and legal science — lives in such an atmosphere of antiquity, that he can see things which duller and less carefully trained eyes overlook, and give weight to evidence that is no evidence at all to others. Often it may be strictly true of such a one that he knows as an eyewitness, because he looks at things with such a perfect comprehension of them that he can place himself in the position of a contemporary, and feel a certainty which, perhaps, he cannot explain, in relation to the affairs of a distant time. It is like the judgment of a statesman or a shrewd man of business, who forms his opinions by processes which he does not attempt to analyze, and upon scraps of evidence of which he may not even be

conscious, but who nevertheless is right, where a mechanical reasoner would be all wrong. No person, therefore, can criticise Mommsen fairly, except so far as he can look at matters from his point of view. Where his views are formed upon distinct written evidence, they are a legitimate subject of debate; where they are the result of his vast knowledge, all we can say is, that no man knows more than he upon the subject, and no man has a more intuitive insight into the relations of historical events.

It is impossible to read a page in any part of this work without being impressed by the scholarship and the profound insight of the author; but probably all critics would agree that the most original and characteristic portions are those which treat of the earliest institutions, and of the downfall of the Republic. These two portions, the beginning and the end of the present work, would appear as widely different from each other in nature and requirements as possible, and certainly they call out in the fullest degree the varied and contrasted powers of the writer. Both are indeed essentially political; but the one demands the power of inferring truth almost by intuition from a mass of fragmentary, contradictory, and often false statements, in relation to a period buried in the deepest obscurity; the other presents the historian a more familiar task, — that of tracing cause and effect in events which puzzle rather from their complication and from the obscurity of motives, than from any actual scarcity of materials.

The first prominent characteristic of Professor Mommsen's treatment of the primitive history of Rome is the emphasis with which he brings out the opposition in principle between the original patrician constitution, of a purely patriarchal nature, resting upon a Divine authority which is represented in the auspices, and embodied in the Senate, and the order of things that resulted when foreign elements were incorporated into the state. This distinction has been familiar ever since the time of Niebuhr, but no other writer has analyzed the primitive patriarchal institutions of the monarchy, and depicted the nature of the subsequent revolution so clearly as it is done in these volumes.

The patriciate was a definite body, elaborately organized

into tribes, curies, and houses (*gentes*), institutions of an essentially patriarchal nature, resting upon an assumed community of origin. The "houses" at least carefully preserved the traditions of such common origin, and kept up special religious usages, special customs, and a strong sense of individuality; they had sanctuaries of their own, a common property, and a certain control over their own members. This was an organism whose origin goes back beyond the commencement of historical records, and with all its formalism and exclusiveness, — its *unnaturalness* to our eyes, — it was in no sense artificial, but had grown up spontaneously with the life of the community. The term *plebeian*, on the other hand, was an essentially negative one, applied to that unorganized mass of persons who were outside of the patriciate. Plebeians, it was said, had no *gens*, that is, they lacked the hereditary organism of the patricians. To be sure, illustrious plebeian families, such as those of Lucullus, Metellus, and Catulus, developed for themselves the so-called Licinian, Cæcilian, and Lutatian *gentes*, after the analogy of the patrician houses; still, these were not original institutions. This negative term, *plebeian*, embraced a considerable variety of classes, — the clients, or dependants upon patrician houses, *metœci*, or foreigners not naturalized, members of conquered Latin communities, and emancipated slaves. These were inhabitants of Rome, but not citizens, and were governed and protected by laws which they had no share either in making or defending.

In time the plebeians came even to outnumber the citizens, and individuals among them were eminent for wealth and ability. Then followed that reorganization of the state which is the important event of the second period of the monarchy; known as that of the Tarquins. Tradition ascribes to the elder Tarquin a desire to extend the patriciate constitution over the whole body of inhabitants; when this plan failed, by reason of religious obstacles, — a resistance, of which the augur Attus Navius was the mouthpiece, — another method of bringing the non-patricians within the pale of the state was adopted by the kings of this dynasty. The patriciate was left untouched, but another organization, which should include both patricians and plebeians, was created by its side, or rather two or-

ganizations, the classes and centuries for military purposes, the tribes for revenue and administrative purposes, both of which were afterwards made the basis of popular assemblies. These institutions, ascribed to King Servius Tullius, introduced a new and momentous principle into the Roman polity, that the state was commensurate with its territory and inhabitants, and not confined to the descendants of a few families. And the long struggle of the orders is in truth a contest between the patriarchal and the territorial principles, for the control of the state.

A second point of primary importance in Mommsen's view of the constitutional history of the early period is that the contest of the orders consisted in reality of two contests, carried on side by side, sometimes aiding, but perhaps as often retarding, each other. The unjust management of the public domain, and the oppressive laws of debt, did not affect plebeians as such, but only the poor and friendless plebeians; and, what is more important still, wealthy plebeians themselves, as members of the Senate, appear to have been ranked with the oppressors and monopolists. The same persons, therefore, — the Licinii, the Publilii, and other prominent plebeians who were contending against the patricians for the rights of intermarriage and of holding office, — themselves sat in the Senate by the side of patricians, and shared with them the unjust monopoly of the public domain. Nay, more, the tribunes of the plebs elected to protect the poor debtors against the ruling aristocracy might themselves have an interest, as members of the plebeian aristocracy, in the very abuses which it was their duty to check. No wonder the struggle was long and bitter, and the progress slow, seeing that the leaders of the plebs were striving to gratify their own ambition, while the masses simply wanted justice and security.

It is not desirable to discuss here in detail the points in which Mommsen's views of the early constitution differ from those held by other scholars. These are matters rather of antiquities than of history; and it is enough to have described the two which underlie the whole. For the peculiar character of the political struggles of the Republic was derived from the contrast between the developed organism of the

patriciate and artificial organism of Servius Tullius; it was with sincerity that the conservatives raised the cry of sacrilege against the innovators, who would tamper with institutions which received their sanction from the divine auspices. And while this irreconcilable antagonism of principle explains the bitter and obstinate resistance of the aristocracy, the reformers themselves were divided and half-hearted. The abuses would have come to an end long before they did, if the attacks upon them had been made in good earnest and with a hearty unity of purpose. When the poor of Athens were suffering under quite similar burdens, one great statesman, in a single year, was able to carry through enactments which put a stop to them forever. But Rome had no Solon; or, if Spurius Cassius might have turned out one, the established order of things was too strong for him. There was such a variety of grievances, and such complication of party issues, that it was impossible to unite heartily for any one object at a time. So Rome had to be contented with partial and grudging reforms, and at last with a compromise in the shape of an "Omnibus Bill," which left the seeds of evil ready to germinate anew in the time of the Gracchi.

The chapters which treat of the transition from Republic to Empire are remarkable, not so much for essential originality, as for the completeness and logical consistency with which the views of the author are maintained. There does not exist so forcible a vindication of the Empire as an historical necessity, such overwhelming proof of the hopeless disintegration of the Republic, such an earnest eulogy of Julius Cæsar and his policy. The exhibition given in this volume of the character of state and statesmen at this period is all the argument possible in the case. If we fail to accept in full the result to which the historian would conduct us, it is because his undisguised worship of efficiency, and excessive reverence for authority, do not always carry us along with him. And yet one can hardly fail to recognize with him, that the Republic had already become impossible, that Cæsar was a man peculiarly endowed to be the founder of a new government, and that his assassination was an incalculable disaster.

It would be a mistake, however, to regard Mommsen as

belonging to either of the schools of historical opinion represented respectively by the Emperor Napoleon III. and Mr. Congreve. He is no believer in the French type of Cæsarism, which identifies itself with democracy, — meaning by democracy the right of the people, not to rule themselves, but to choose their rulers, — which uses the people merely as the instrument of democracy. His sympathies are rather with what may be called *Periclean* democracy, — the distinctive popular sagacity which knows the needs of the state, and is at once able, in times of peril, to recognize its natural leader, and willing to surrender unlimited power to him for a season. But, after all, this is a power which exists only in a people in its vigor. The Roman people had it when they put their destinies into the hands of Cincinnatus, Camillus, and Fabius Maximus; but when the Roman mob — no longer a *people* — gave dictatorial power to Gracchus, Marius, or Cæsar, it was another thing. Pericles represented the sound judgment and concentrated action of a free people; Caius Gracchus was simply a demagogue, that is, wielded the concentrated action, the unthinking brute force, of a demoralized mob. It might be, no doubt was, with pure motives and wise aims; but it was none the less an essentially monarchical power, while the other was, in the true sense of the word, republican. Now, to say that Mommsen sympathizes with the one of these and not with the other, is only to say that he most admires Roman institutions when they were healthy and vigorous; when they had become effete he regrets it, but recognizes the fact, and sees in it the necessity of a Gracchus or a Cæsar, seeing that a Pericles was no longer possible. He does not, in itself, like this new form of demagogism; but, on the other hand, he does not abhor it as we do. It follows that he is still further removed from Mr. Congreve's view, that the Empire was the manhood, of which the Republic was the infancy and youth; and surely we shall agree here that the Empire was not development, but decay; that, as has been forcibly said, "the Empire may have been a necessary evil, it may have been the lesser evil in a choice of evils, but it was, essentially, a thing of evil all the same."

As has been remarked above, there is no essential novelty

in Mommsen's views in regard to this period of the Republic. Perhaps the most striking point he makes is in carrying back the commencement of the decay to a much earlier period than is usually done. Even at the time of the Second Punic War, commonly considered the epoch of the highest vigor and purity of the Republic, he shows that the causes were already actively at work which eventually destroyed it. Those writers, therefore, who have borrowed from the ancients their notions of the demoralizing influence of wealth, and ascribe the degeneracy of the Romans to the increase of riches and luxury, consequent upon the conquests of the sixth century of the city, find little support in him. Already, before Macedonia and Carthage fell, Rome had outgrown her urban institutions, her yeomanry had disappeared, and her religion had lost all its vitality and power over the lives of men.

In these three points we find indicated the fundamental defects of antiquity, the causes from which it resulted that ancient civilization possessed only a limited capacity for development, and ancient nations only a limited capacity for growth. Modern history gives no support whatever to the common theory, that nations, like men, have their necessary periods of growth, maturity, and decay. Modern society, as a whole, has displayed a steady progress for more than a thousand years; modern nations have had their alternations of progress and retrogression, but every new wave of progress has reached a higher point than the last; the licentiousness of the time of Charles II. and the political corruption of the time of George II. have been succeeded by the purity and virtue of Victoria's reign. But antiquity presents no parallel to this. Ancient nations did, like the human body, contain within them the seeds of necessary decay and death. When one element of growth had run its course, there was no counteracting element to infuse a new life, and preserve the wavering balance; society became one-sided, and toppled over. Thus a downward career, once begun, was never checked. Even the age of the Antonines was only a seeming exception, a few years of wise *government*, but with no real improvement in the community.

The three defects of antiquity were social, political, and religious; in each of these fields, the development was partial

and unexpansive, resulting in a brilliant, but exhaustive career; and each of these defects led to an incurable and fatal disease. First, the ancients had no conception of a free society. Their civilization was founded upon slavery; their free citizens displayed heroic virtues for a time, but slavery, by its very nature, encroached upon freedom and destroyed it. Slave labor supplanted the free yeomanry, great estates swallowed up the small freeholds, and the middle class steadily disappeared. The institution of slavery, therefore, destroyed the foundation of free institutions. Secondly, the idea of the state was inseparable from that of the city. They had no other conception of a free state than that of the city, governed by the public assembly; consequently, when the state grew in size, its institutions were inadequate. Whatever lay outside the city itself must be governed by authority, or be vested with only a shadow of political power; in either case, the free government was at an end. Thirdly, the religions of Greece and Rome lost their hold upon men's reason, and of course upon their conscience; they were still maintained as forms, but practically gave way to superstitions and philosophies.

Only one of these three evils struck the thoughtful mind of Tiberius Gracchus, — the disappearance of small freeholds throughout many parts of Italy, the substitution for them of great plantations, *latifundia*, cultivated by slave labor, and the consequent growth of an immense proletariat in the city. His instincts were no doubt right in seizing upon this as the most serious evil; it was certainly the most pressing. No doubt, too, his plan of meeting it was the best possible under the circumstances, — to call in the public domain (above a certain amount) in the occupation of the nobles and distribute it in freeholds among the poor citizens, a procedure analogous in principle to that of a "homestead act." But if this was the best possible remedy, this fact only shows how deeply rooted was the evil; for experience proved, what reflection will show must have been the case, that it was only a partial and temporary remedy. The act of Tiberius Gracchus was passed and carried faithfully into operation. In the course of six or seven years, the number of citizens capable of bearing arms, which had been diminishing for some time before, was increased by 76,000 men, — nearly

one fourth; and yet even so wide-reaching a measure as this does not appear to have had any material influence in postponing the downfall of the Republic. And it will be easily seen that such an increase of yeomanry can have been only temporary, so long as the tendencies which caused the absorption of small freeholds were not checked. The members of the city proletariat who were transplanted upon farms, were surely no more likely to hold their own against the aggressions, fraud, and cajoleries of their wealthy neighbors, than the original yeomanry had been. The prohibition to alienate their freeholds would be easily evaded, and a few years would see the new proprietors back in the slums of Rome. Or even if this were not the case, the growth of the proletariat from natural causes would at any rate not be affected. Mr. Long's comparison of this measure with the proposed schemes of emigration on a large scale as a means of relieving England of pauperism, is perfectly in point. Reduce the population as much as you will, and so long as the habits and character of the people remain what they are, they will at once propagate again up to the verge of the means of subsistence.

Again, the available public domain in Italy was very soon exhausted, long before the mass of paupers was adequately provided for. Caius Gracchus, to be sure, proposed to take lands in the provinces for this purpose, and here was an inexhaustible supply, if the ruling classes had had any desire to carry out his plans. But after his death the schemes of colonization were abandoned, and at any rate, from what has been said above, it will appear that their only result could have been to draw off by hundreds from a mass of poverty and crime that was increasing by thousands. Caius, to be sure, appears to have been aware of the inadequacy of colonization as a restorative for the state. It would relieve somewhat an evil that could not be wholly cured, and meanwhile a new element in the state, to replace the lost yeomanry, might furnish a secure basis for a healthy commonwealth. The Italian allies, who were still comparatively vigorous and virtuous, would, it was hoped, regenerate the community. Here again, as in the case of the agrarian laws and the colonization schemes, unquestionably he saw clearly the thing to be done; but just as in

their case, it is doubtful how much good even this would have effected. The Social War resulted, thirty years later, in bestowing citizenship upon practically the whole of the Italian allies; but it does not appear that the Republic was essentially benefited by this, or its existence materially prolonged. For this series of measures only touched one evil, — the social condition of the citizens; the other causes of decay were not reached. By the distribution of land, the planting of colonies, and the extension of the franchise to the Italians, the body of citizens had been fundamentally improved; but the constitution was still as inadequate as ever for its necessities. What good could it do to have a virtuous and patriotic set of voters up among the mountains, so long as the only way of exercising political influence was by going to Rome? Whoever possessed the suffrage, the power was virtually in the hands of the residents of the city. Even, therefore, if these reforms had gone so far as to put an effective stop to the centralization of landed property and the growth of slavery, instead of merely giving a temporary relief, the constitution could never have done the work that was required of it, for the reason that it lacked power of growth and adaptation. The political ideas of the ancients were of narrow range; within certain limits their thought was vigorous and accurate, but they could not go outside those limits. The Romans could not see that their empire had outgrown their institutions, and if they had seen it we may doubt whether they could have devised a remedy. It was not until the broader and freer life of modern times that means were devised of uniting freedom with extent of dominion. The republican institutions of Rome were clearly inadequate for the complex administration of this vast empire; and, so far as we can see now, nothing but absolute monarchy possessed the unity of purpose and concentrated energy which were required.

I have spoken only of two of the causes of the fall of the Republic, — the destruction of its social structure by slavery, and the inadequacy of its institutions to do the work of government. Either of these was enough to cause its ruin; but if these had not been enough, the utter decay of religion and morality had deprived the community of all that makes a republic possible. And here one cannot help turning to the

rapid degeneracy in our own Republic, — the corruption, violence, inefficiency, growth of mobocratic ideas, decay of public spirit, and, worst of all, loss of that reverence for law which is the only foundation for free governments. There is more resemblance between Rome after the Gracchi and America after Andrew Jackson, than one likes to acknowledge. But, after all, nothing is more misleading than historical parallels, and it is not hard to show that, however great may be our political degeneracy, and however appalling the perils before us, the analogy to Rome is only in superficial and symptomatic circumstances. These might be the sign of the same diseases that destroyed Rome, but they are not. We have dangers and defects of our own, and it may be that they are as deadly and unavoidable as those by which Rome perished; but with them our present inquiry has no concern. The three defects which led to the overthrow of the Roman Republic do not exist among us; on the other hand, we can see only encouragement where there was only hopelessness for them.

In the first place, we possess what Rome had lost, — a healthy social organization. In spite of the centralizing tendencies of modern society, the counteracting influences have so far proved strong enough to preserve the balance. The middle class — the strength of republican institutions — is probably increasing rather than diminishing in numbers, virtue, and intelligence. This assertion can be made only doubtfully, to be sure, and it will not be agreed to by all; but however that may be with the North, there is at any rate the great fact that in the South a middle class has been wholly created within five years. In that section of country it was the custom to boast, and with truth, that its society rested upon the same foundation as that of ancient Rome, and it presented the same phenomena as Rome, — all the resources of the community controlled in the interests of a body of landed capitalists, and the consequent discouragement of a middle class. All this is changed. However the experiment may succeed, it is to be tried; society has been radically reorganized, and every opportunity afforded for the growth of an independent yeomanry, in full faith that if opportunity is given natural causes will bring about the desired end. Whatever diseases, therefore, our social system

may develop, there are as yet no indications of that most fatal one, the loss of a middle class.

In the second place, this vigorous middle class, scattered over the whole extent of the country, is not, by reason of this dispersion, deprived of its due influence upon public affairs; but is able, by means of representation and of our federal form of government, to act upon both national and local affairs with effect proportioned to their respective nearness and importance. It is true, our political organization is far from perfect, and our mode of representation in particular is crude and clumsy, and no doubt we suffer far more from these defects than is generally supposed. But modern political philosophy is broad and expansive, where that of the ancients was confined to a narrow routine. We are in the habit of questioning our institutions closely, scrutinizing their defects, and proposing remedies. The single fact of the recent revision of the Constitution of Illinois is full of promise for the future; for it is revised, not in the interest of doubtful theories, but with the aim of practical improvement. The ancients, on the other hand, could not understand where their political system was defective. They could conceive of but one type of republicanism; and when this had exhausted its power and resources, they had no refuge left but in despotism.

In the third place, religion is not a dead thing with us, as it was in Rome in the last years of the Republic. However great the corruption, vice, and indifference at the present day, there was never a time when religion was more active or more efficient in combating them. What peculiarly characterizes the religious institutions of our time is that they have learned to leave idle speculation aside, — to leave theology to the theologians, — and to use their strength in contending against vice, crime, ignorance, and want. Religion, at the present time, has entered into the affairs of daily life, with an organized skill and aggressive energy which are quite new to her in this field, and is conducting the fight against the powers of evil with wonderful spirit and success. This is the element which promises to purify, strengthen, and preserve the others. We have, therefore, a sound social organization, and an expansive political system, both of which were wanting to Rome. But

we possess also in the active, liberal type of Christianity which is characteristic of the present age a power of which Rome was even more destitute; and this is our great hope for withstanding that flood of corruption and anarchy which, in the absence of these other checks, was the immediate cause of the overthrow of the Roman Republic.

In an historian like Mommsen, the matter is so much more than the style, that it would be quite excusable to pass over his rhetorical qualities without comment. Rhetorical qualities as such he may be said scarcely to possess. His object is always to instruct, and he makes no attempt at fine writing, picturesqueness, or brilliant narrative. His style is direct and masculine, quite free from the cumbrous and involved sentences in which German writers seem to delight, although his compact and weighty sentences are far from rapid or easy reading. The English translation, indeed, surprises one who is familiar with the original, by giving the impression of an animation and grace which the original seems to lack; and yet this seeming defect of the original may be only the inaccurate impression received by one to whom the language is a foreign one. However that may be, if his narrative is somewhat heavy, and too much interrupted by dissertation, he is a master in that high order of eloquence which results from moral earnestness and vigorous thought, and depends upon directness and simplicity of expression, rather than upon mere rhetorical ornament. His remarkable analyses of character ought not to be passed over without notice; to one who believes in the influence of person upon the course of history, they possess a peculiar value.

Most of what appears as defect in form, in the German edition, is due to the neglect of typographical elegances, in virtue of which the book is brought within the reach of very moderate purses. The compact type, the long unbroken paragraphs, the absence of illustrative matter, and of any but the most general table of contents (dates and marginal index are copiously given), are perhaps slight matters. It is, however, a serious defect that there are so few references to authorities, and that opinions which run counter to prevailing views are merely stated with hardly any argument. The author owes it to his students, and to the interests of that branch of knowl-

edge to which he has devoted his life, to have a more elaborate edition prepared of his great work, in a style worthy of it, expanded into a large number of volumes, furnished with full tables of contents and chronological tables, and provided with references and citations wherever these would be a material assistance to the student.

Meanwhile we are waiting impatiently for the additional volumes, which shall describe the Empire with the same vigor and comprehension with which he has already described the Republic. No person living is so competent to treat of the Roman Empire, for no other person understands so well the roots from which it sprang. And since in the Empire itself is to be sought the origin of much that is most fundamental in the institutions of the modern epoch, Mommsen's new volumes, whenever they come, will be an indispensable foundation for the study of modern history.

W. P. Allen.

Art. IX. — CRITICAL NOTICES.

1. — *The Nation: The Foundations of Civil Order and Political Life in the United States.* By E. Mulford. New York: Hurd and Houghton. 1870. pp. 418.

The main purpose of this book is to show that the moral being of the nation is its essential principle. Other subordinate questions are also discussed, many of which are connected with the forms and functions of the National and State governments of the United States. While with the ancients, theoretical politics were usually treated as a branch of ethics, in England and this country political discussion has been almost exclusively confined to the organization of government, the distribution of its functions, its representative basis, and similar topics, which have an immediate practical bearing. The foundation of the nation in morals has not been a subject of systematic investigation. Mr. Mulford has the advantage of being the first in this country to enter upon the field, and this fact alone will always give his work a distinction in American literature. We cannot better give an idea of the scope and method of the book than by a summary of the course of the argument.

The foundation of the nation is laid in the nature of man, in his instinctive desire of association with his fellows, and his readiness to enter into the relations and assume the obligations incident to such association. With Aristotle, the author regards the fact that "man is by nature a political being," as the first postulate of political science. The nation is a social relationship, into which the individual is born, and into the consciousness of which he grows by a normal development. This relationship, participated in by successive generations, gives to the nation permanence and a continuity of existence from age to age. This common relationship, and the laws and institutions through which it is established, impart to the nation unity, make it an organism with the characteristics of all organisms, — unity, identity of structure, and development after a principle or law. Its real members are parts of a whole, and have the consciousness of being so. Those who have no such consciousness, whether from ignorance and low morality or the conceit of wealth or culture, constitute the unorganized mob and rabble of the state. The nation is not only an organism, but as the embodiment of the conscious social life of man, it is a conscious organism, having all the characteristics of a moral personality. By virtue of this conscious moral personality, it comes to have rights and obligations, and to recognize a vocation for itself in history, and a conscious aim in the life of the race. By virtue of this moral personality, that organized life of society which the nation represents is a progressive moral order in which the moral personality of the individual finds its sphere and development. The nation establishes rights, and rights belong to man only in his moral being and personality, since all rights are of a person and represent the relations of a person in the nation to the nation or to other persons. These rights are natural rights, because belonging to human nature, or positive rights, because established by the nation; they are not, however, to be regarded as of different kinds and having an unequal sanction or validity, as though natural rights had their foundation in human nature, and positive rights had their foundation only in the determination of the state; for the nation is but the manifestation of the moral nature of man, and in its normal action is continually defining and establishing natural rights as positive rights, and finds in this process, in this constant multiplication and refinement of rights, its advancement.

As in the nation is found the realization of rights, so, as a corollary to this proposition, in the nation is found the realization of freedom. But the freedom here intended is not a negative freedom, a mere absence of restraint, but a moral freedom. It is the determination of personality, in accordance with the moral order. This moral order the

nation in its normal action establishes in the form of rights and duties, which constitute the sphere of personality. All laws in conflict with this moral order tend to destroy freedom, and contain the elements of real tyranny. All laws in development of this moral order tend to the increase of freedom and to perfect the nation.

In this way the essential antagonism between slavery and the nation is made manifest. The war of the Rebellion illustrated this antagonism. Slavery was a denial of rights, and must inevitably come in conflict with the nation, whose development comes by the realization of rights and of freedom. In treating, with reference to these views, the tendency in ancient times to regard the individual as subordinate to the nation, and existing only for the nation, and the tendency in modern times to regard the state as wholly subordinate to the individual, and existing solely for his advantage, the author ranges himself on neither side. The state is not to be regarded as secondary to the individual, nor the individual as subordinate to the state. Both are moral persons, and being so, the sphere of the personality of each is sacred to the other. The moral order of the nation furnishes the necessary field for individual development, and in respect to this order the individual and the nation must harmonize. Both are bound by the same moral law, and the wills of both must hold the same determination.

The sovereignty of the nation is the assertion of its personality through its self-determined will. As such it is inalienable, indivisible, indefeasible, and irresponsible to any external authority. As the manifestation of an organic unity, it is evolved from the whole political body. It is not, therefore, inherent in any individual, family, aristocracy, or caste, but in the corporate people. Sovereignty is manifested in law, which is the assertion of the will of the people. But it is the will of a moral personality that is really thus asserted. The assertion of a will not thus amenable to a moral order would not be law, but essential lawlessness. Law, in its essential nature, implies consonance with reason and justice. The sovereignty of the nation, acting through its normal powers, and asserted in law, constitutes the government. These powers are legislative, judicial, and executive. They are not arbitrary in their constitution, but different manifestations of the will of the nation, operating according to its normal process in thought, in judgment, and in action. These powers do not represent a division of powers nor limitations of each other, but each, in its sphere, stands for the sovereignty of the nation. These powers are instituted in the formal constitution which establishes the order of the nation. Its formal constitution, however, is one thing, its real constitution another, and is identified with the nation in its organic being. The nation precedes the

constitution, forms it, and changes it, according to its will, in order to promote its own ends, and represent its development. The true life of the nation may sometimes be better shown in sweeping away its constitution than in maintaining it. The normal assertion of the sovereignty of the nation is by a representative government and constitution, for in this form only is realized the sovereignty of the nation as a moral organism. As a moral organism it is constituted of persons, and its constitution, therefore, should provide for a government based on the representation of persons. It is not interests, families, numbers, literary or mechanical skill, which are the true basis of representation, but persons, — those who have the will, the conscious self-determination and freedom of persons, whatever be their color, race, or occupation. Every one born into the nation, and maturing under its influences, if a real person, has a right to representation. He is organically a member of the nation. Minor children, those who have taken bribes or made wagers, the imbecile and insane, and criminals, have no will of their own, no personality, and are to be excluded from suffrage. Foreigners should not be naturalized, except upon terms that would make it sure that they have become assimilated with the nation. The reference of power to mere numbers, to the impersonal mass, is earnestly deprecated. It is the unreason of the state, when it calls upon ignorance, vice, and crime to determine its career. By the same moral test, the duty of the representative is ascertained. He represents the moral personality of the nation, and he wrongs that personality as well as his own, if his aim is to follow the dictates of a constituency rather than to stand for the good of the state.

The internal order of the nation, in its most highly developed form, is established in what is entitled the commonwealth. The beginning of this subordinate organization is in the community, arising out of the neighborhood of families and the common interests and necessities that grow out of this neighborhood. The security of life, liberty, and property, through the institution of civil rights, the regulation of industries, the administration of the civil order, are within the peculiar province of the commonwealth. Its most perfect form is found in the American States. It is by such phrases as that the nation is immanent in the commonwealth, is external to the commonwealth, has only a formal and not an organic unity and sovereignty, that the author quite unsatisfactorily attempts to indicate the irrationality of the secessionists and followers of Calhoun, who sought to found society upon the commonwealth, instead of the nation.

From the consideration of the relation of the commonwealth to the nation, he passes to the consideration of the confederacy. To this the

nation is the antagonistic principle. The confederacy represents only the combination of separate societies, and has no principle upon which a real unity can be established. Its order is only formal, and based upon temporary expediency. It is the organization of selfishness, and perishes in the conflict of selfish interests, while the nation is the organization of a universal moral order, and has its normal development in overcoming the tendencies of selfishness, and asserting the cause of humanity. The national principle is also the antagonist of the empire, for the reason that the imperial government is in the emperor or an imperial class, instead of in the organic people. The people, instead of participating in the government, are its subjects. As a result, there is no development of individual personality, and no moral life or spirit in the people.

Since the being of the nation is conditioned upon its realization of a moral order, and the development of this order is the process of history, the nation must be regarded as the integral element of history. Everything in the life of the race, outside the limits of the formation and experience of the nation, is vague and undefined, and beyond the pale of history. As the nation subsists in a moral order, independent of race, it follows that it is the national, not the social element in the nation that imparts the historical distinction. In the same race, in the same age, in mainly the same soil and climate, it is asserted there may be the greatest possible contrast in respect to civilization, and this contrast will be in exact proportion to the development of the life of the nation. But in the destruction of the nation civilization is destroyed. The harmony of these views of national being with the teachings of the Old Testament, and with the Christian conception of Christ and his kingdom, is the subject of the closing chapter. The history of Judæa, it is claimed, is a revelation of the Divine order, and teaches all ages of the world the laws that govern the rise and fall of nations, while in Christ are revealed the Divine relations of humanity, which the nation must realize that is truly such, and represents the highest political ideal. "The nation is to work as one whose achievement passes beyond time, whose honor and glory are borne into the eternal city. It is not true that it may look for its perfect rest. It has an immortal life. It is no more the kingdom of this world, but it is formed in the realization of the redemptive kingdom of Christ. The leaders and the prophets of the people can only repeat the ancient lesson, 'He is come; unto him shall the gathering of the people be.'"

Valuable and suggestive as is a large part of this work, still as a demonstration or reasoned exposition of the main doctrine of the essen-

tial identity of moral and national life, it is very unsatisfactory. It seems entirely to ignore the methods of such an exposition. There is no analysis of the subject. There is no definition of terms, there is little illustration drawn either from life or history, there is no historical induction. It is a body of doctrinal assertion, of abstract assumptions and deductions therefrom, in a peculiar and undefined terminology. Under different titles the same ideas are continually repeated, with every variety of permutation in the phrases. While some results are reached by deductions from propositions which must be supposed to carry their own evidence with them, the main theme advances little beyond the author's reiterated assertion.

His argument for the dependence of national upon social life turns upon the asserted fact that the nation is a moral organism. If a moral organism, then its moral being is the law of its organization, and as that prevails the nation is perfected. But how is the nation a moral organism? It is true, it is made up of beings having moral capacity, organized as one whole. But so is a railroad corporation. Is the corporation a moral organism in the same sense and for the same reason? Mr. Mulford makes the assertion, and leaves it to the intuitions of his readers. His postulate is the proposition to be established, and should be at the close rather than at the beginning of his work. The same fact, too, is the criterion by which he tries most of the questions in fundamental politics that he discusses.

But suppose the nation to be a moral organism, how does this abstract conception help to an understanding of what the nation really is, what the ties are that bind its members together, and what the mystery is by which the individual is perfected in his individuality, and his patriotism is enlarged and intensified? Suppose, on the other hand, it is denied that the nation is in any but a rhetorical or analogical sense a moral organism, are not the propositions maintained as deductions from this fact true, nevertheless, and may they not be deduced from history and the nature of man? Of what avail, then, is this shuffle of abstractions?

Moreover, such phrases dominate in the argument at the expense of the real doctrine. Because a confederacy is not an organism, is not one state, but a combination of states, and because the nation is an organism, and realizes a moral order, the confederacy is regarded as the enemy of the nation, and is made to represent an evil principle. It is obvious, however, that even a confederacy among states is better than nothing; that a formal, as distinguished from an organic, unity is more productive of moral order than no union at all. If the confederacy is associated in history with disaster, it is not because it is in itself evil, but because of

the weakness of the bond; and this is due, on the author's principles, to an inferior moral condition in the constituents of the confederacy, which renders them incapable of that self-sacrifice and self-surrender to the general weal which exist in the higher life of the nation, and are essential to it.

The vicious influence of the author's formulas is shown again in his representation of the war of the Southern Rebellion as primarily a conflict between the nation and the confederacy rather than between freedom and slavery. But clearly slavery was the cause of the assertion of the confederate principle, and without slavery the Rebellion would not have taken place. The disloyalty of the slave States to the nation is the strongest possible illustration of the author's doctrine, that national life is a development of moral life. Southern slavery sapped the moral strength of the people, and thereby weakened the social principle that seeks expression in the unity of the nation. Because slavery was immoral it was sectional, because freedom was moral it was national.

In point, also, of literary execution, the work is not a success. This is the more remarkable, as it gives evidence of a nice literary appreciation, and is marked by a rare felicity of quotation, especially from Shakespeare and the Bible. The constant recurrence, however, of the same abstract, undefined phrases and formulas, and the great sameness in the structure of the sentences, give to the style a certain awkwardness, stiffness, and often obscurity. It is the style of a person unused to giving his thoughts expression.

Nevertheless, the work is conceived in a high philosophical spirit; it represents the long labor of a scholar and a thinker, working at the central truths of the state; it is the expression of a devout, refined, and cultivated mind, familiar with profound and varied studies, and holding very positive convictions upon the religious, philosophical, and political questions of the day. If not the work of a master, it is that of an earnest disciple. It teaches the impressive lesson that the highest crime against the nation is treason to its moral life, and may be read with profit by every lover of his country who would study the foundations of its permanent well-being.

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2. — *Poems.* By Dante Gabriel Rossetti. Author's edition. Boston: Roberts Brothers. 1870. pp. 282.

For some twenty years Mr. Dante Rossetti has been more or less well known, even to persons not counted among his particular admirers, as a man of great poetical susceptibility and refined poetical

taste. His translations of the "Vita Nuova," of the "Inferno," and other mediæval Italian poetry, abundantly proved this, and proved, too, that he had in a high degree the power of literary expression. Despite, then, that presumption of incapacity very rightly entertained against a man who does not make public trial of a strength for which public acknowledgment is asked, there has been a disposition to give Mr. Rossetti the credit his immediate circle of friends asked for him as a poet of extraordinary abilities. It is true that he has printed, besides his translations, some original poems which would have served as confirmatory evidence in his favor; but the distinction between the printing of a work and the publication of it is not often better marked than in the case of "The Blessed Damozel," in its earlier form; and the general public has, until the appearance of this volume, known but little more of his poetry than that it was handed about among a few friends, and by them admired with what to most discriminating persons seemed like extravagance. This, for the reason just mentioned, that the world is not much inclined to believe in poetry which is deliberately and persistently hid under a bushel; and, secondly, because readers and observers who have discernment are apt to feel a general distrust of the capacities of such natures as seem to have the weakness of contemptuously or with morbid uneasiness shunning the judges who alone can make general award, and seeking the presumably partial applause of a few; and, finally, because the few who in this instance called us to admire were not judges in whom there is entire confidence. It is not, we imagine, hazarding much to say that instructed lovers of poetry feel no great confidence in the justice of a poet's claim to praise, merely because he is enthusiastically praised by Mr. Swinburne, who, his friends may profitably remind themselves, praises Mr. Walt Whitman, and puts him beside William Blake; or because he is admired by Mr. William Rossetti, who has done poetry no better service, much as he has written in poetry and criticism, than he did when he carried the strict Pre-Raphaelite theory of poetry to its legitimate end, and absurdly versified a criminal trial and its cross-examinations; or because he is declared most admirable by Mr. William Morris, whose pretty stories should not long blind many to his emptiness of matter and his extremely elaborate simplicity of manner, — fit conclusion, paradoxical though it may seem to say so, to the Pre-Raphaelite grotesqueness and weakness of his earlier "Defence of Guenevere," with its strained and false mediævalism; or because he is praised by Miss Jean Ingelow; or by Mr. Thomas Woolner, whom, however, we ought not to mention without saying that — unless it be Miss Christina Rossetti, at her best, when she is picturesque and

not too Pre-Raphaelite, and passionate and not too sensuous — he is by very much indeed the simplest, honestest, and most thoroughly pleasing of all the group of poets with whom he is usually classed. Better than negative praise, too, can be given him, as any one may see who will look at "My Beautiful Lady."

It is in this circle of poets and artists, and their intimates, some of them having in their capacity as artists a strong claim on the respect of people of cultivation, and most of them being at least interesting to people of cultivation, that Mr. Rossetti has had his high reputation. But as we have said, their *dicta* have not been of wide acceptance among those not given over to the cultus of Pre-Raphaelitism. Of this cultus it is not out of our present province to speak, for it has affected the literary as well as the pictorial or plastic expression of all who gave themselves up to it; but it is beyond our ability to treat of it as it should be treated of if one would make thoroughly clear the genesis and character of the works done under its influence. It may, however, be permitted any one to say that it had an absurd and ridiculous side; and if this aspect of it be once seen, the investigator and critic will doubtless find himself disembarrassed of some of that hindering reverence with which it is probable he might otherwise approach works which have been so very emphatically pronounced admirable and excellent, and which are to most critics strange enough and new enough to be not a little baffling. He does not need to be at all a hardened critic in order to laugh at the projectors of the "Germ," for example, admired artists though they be, when he learns that, inasmuch as they believed that they had before them in conducting that iconoclastic magazine a work of great difficulty and labor, they decided to indicate this belief by always pronouncing the name of their periodical with the initial letter hard. This seems too absurd to be readily believed, — that a number of grown men should go about saying "germ" with a hard *g*, because they had resolved to paint as good pictures, and write as good poems, and make as good reviews of other people's poems as they possibly could. Yet, if a layman with no recognized right to say anything about art may say so, there is nothing in this procedure which is essentially inconsistent with the characteristics of the works which Pre-Raphaelitic art has produced, — as indeed how should there be? Over-strenuousness, enthusiasm in need of reasonable direction, self-conscious, crusading zeal, the exaggeration of surface-matters at the expense of the essential thing sought, affectation, which, however, may probably be the expression of genuine moods of minds in natures too little comprehensive, — all these one can fancy that one sees in the pictures and poems just as in this baptism of the magazine which the school set

on foot. The "Germ," by the way, lived through four numbers, which are now to a certain extent curiosities worth looking at, as indicating the aims or the feelings of a school of art which has made much noise, and also as containing some of the first work of Mr. Dante Rossetti, Miss Rossetti, and Mr. Woolner; and moreover several designs by Pre-Raphaelite artists which, although generally feeble both in subject and treatment, possess, in one or two instances, what is held to be characteristic merit and characteristic defect. Not to insist on what is perhaps not very well worth attention, but by way of corroborating the evidence which our story of the "Germ" may offer, we may mention the fact that some years since, when something like an American Pre-Raphaelite Brotherhood was formed in the city of New York, where an American "Germ" too was established and lived for a while, it was seriously discussed by the brethren whether or not they should discard the ordinary clothes of contemporary mankind, and endue themselves with doublets and long hose and pantofles, and such other articles of dress as doubtless had so much to do with making the Titians and Angelos and Andreas of the old days of art.

In the volume in hand Mr. Rossetti puts before the public the poems which have assured his friends of his genius, and offers us the means of making an advised estimate of his value as a poet to the world at large, which cannot intelligently judge of his value to particular schools, but which can with sufficient intelligence compare his productions with the general body of poetry. Opinions must differ; but the prevailing opinion, we should say, will be that we have in Mr. Rossetti another poetical man, and a man markedly poetical, and of a kind apparently though not radically different from any other of our secondary writers of poetry, but that we have not in him a true poet of any weight. He certainly has taste, and subtlety, and skill, and sentiment in excess, and excessive sensibility, and a sort of pictorial sensuousness of conception which gives warmth and vividness to the imagery that embodies his feelings and desires. But he is all feelings and desires; and he is of the earth, earthy, though the earth is often bright and beautiful pigments; of thought and imagination he has next to nothing. At last one discovers, what has seemed probable from the first, that one has been in company with a lyrical poet of narrow range; with a man who has nothing to say but of himself; and of himself as the yearning lover, mostly a sad one, of a person of the other sex. Where there seems to be something more than this, as in such a dramatic piece as "Sister Helen," for instance, the substratum is usually the same; and the essentially subjective, and narrowly subjective character of the poem is only temporarily concealed by the author's

favorite mediæval dress, which is never obtained except at the cost of throwing over the real life of the Middle Ages the special color which it suits the author's purpose to throw over it. Mediævalism of this kind, elaborately appointed and equipped, has always been common enough, and certainly it has great powers of imposition; but what is it usually but our taking, each of us as it chances to suit his taste or his purpose, some one aspect of the true life of the Middle Ages, or, as it may happen, the classic ages, or the age of Queen Anne say, or King David, or Governor Winthrop, and making that stand for the objective truth? With Mr. Morris, say, the Middle Ages mean helmets and the treacheries of long-footed knights who fiercely love ladies who embroider banners, and wear samite gowns, and watch ships sailing out to sea, as do illuminated ladies, out of all drawing, in old manuscripts. Another man's Middle Ages are made up of tourneys and knightly courtesies. The England of Queen Anne is to such and such a man all coffee-houses and wigs and small-swords; and to such and such another, Governor Winthrop's New England is going always to church, and hanging witches, and austerely keeping fasts. We confess that whenever this particular form of self-indulgence is accompanied by an ostentation of exactness and of absolute reproduction of the past times, or when, as in the case of a certain school of writers, the impression given is the impression of the writer's inability to live the life of his own age, and to see that in that also the realities of life and thought, the substance and subject of all really sound poetry, present themselves for treatment, we confess that we experience a feeling not far removed from contemptuous resentment. Surely there is something wrong in the thinker or the poet — shall we say, too, in the artist? — who can content himself with his fancies of the thoughts and feelings and views of times past, and who can better please himself with what after all must be more or less unreal phantasmagoria, than with the breathing life around him.

Considered as a lyrical poet pure and simple, a lyrical verse-making lover, apart from whatever praise or blame belongs to him as a Pre-Raphaelite in poetry whose Pre-Raphaelitism is its most obvious feature, it will be found that Mr. Rossetti must be credited with an intensity of feeling which is overcast almost always with a sort of morbidness, and which usually trenches on the bound of undue sensuousness of tone. Pretty and natural, for example, is the idea, in "The Stream's Secret," of the lover's making the wandering brook, endowed with the kind of animate existence that is so readily accorded the running stream, the confidant and messenger of his mistress. But the somewhat too erotic key-note is not long in making itself heard here, any more than in most of the other poems:

"Ah me! with what proud growth
Shall that hour's trusting race be run;
While, for each several sweetness still begun
Afresh, endures love's endless drouth:
Sweet hands, sweet hair, sweet cheeks, sweet eyes, sweet mouth,
Each singly wooed and won.

. . . . .

Therefore, when breast and cheek
Now part, from long embraces free, —
Each on the other gazing shall but see
A self that has no need to speak:
All things are sought, yet nothing more to seek, —
One love in unity."

This certainly, if a little obscure and stammering in detail, and not much worth doing, is in the general forcible and vigorous. Freer from the fault of sexuality, if that is what we are to call it, is the skilful and even beautiful little poem entitled "The Portrait," though in that also there is an undercurrent of earthly passionateness which marks it as in tune with its author's all but unvarying mode of conceiving of love, which is with him, if never quite mere appetite, never, on the other hand, affection. This poem is, however, well worth attention for its delicacy and subdued warmth of passion, — the beloved woman being now dead, and the regard for the portrait tempering the love for its original; and also it is good by reason of some excellent pictures which it contains.

Picturesqueness, indeed, is, as might have been expected, one of our author's strong points. For one thing because he looks on nature with the eyes of a man whose business in the world it is to see and make pictures; and it might be not easy to find, outside of the delightful poems of Mr. William Barnes, who has so extraordinary an eye for the landscape-picturesque, any more decided recent successes in this way than Mr. Rossetti has made. Then, for another thing, he looks on life with the feeling of a born painter, whose natural instrument of expression is color, and who can with more ease indicate and subtly hint than he can clearly enunciate with intellectual precision what he wishes to convey to us. Thus he is no doubt at a disadvantage with most of his critics, and has for the necessary injustice, to call it so, which these do him, only the somewhat imperfect compensation of pleasing with an excess of vague pleasure a certain number of his more impressible readers of like mind with himself. The sensuousness, too, of which we speak, making it natural for him to seek palpable, tangible images in which to embody his conception, is another allied cause of his strength as a pictorial writer.

The union of the qualities we have mentioned — his warmth of pas-

sion, his picturesque power, his mediævalism in its apparently less affected form, his skill in the technic of verse — are perhaps best seen in the best known and, all things considered, the best worth knowing, of his poems; though we should say that having had exceptional luck with it, "The Blessed Damozel" is not that work of his in which he himself is most distinctly visible. Nor would it, we think, be true to say that there are not passages in other poems of his in which he, by glimpses, appears at greater altitude than in this one, and which gives the reader a better opinion of him. Though, for the matter of that, in "The Blessed Damozel" he is hedged about with that peculiar respect which is given to the maker of a rounded and complete work, — that respect accorded to a creator, and which is not given to the same man even when he is producing sweeter and deeper detached strains than are to be found in the melodious harmony of his perfected symphony or oratorio. The poem is no doubt fresh in the memory of many who first made its acquaintance twenty years or so ago. It is improved in the present edition; the changes, we observe, all being in the direction of less quaintness and Pre-Raphaelite roughness and more definiteness of thought, — albeit there is perhaps a little loss of the force and strikingness which the old quaintness had. Here, for example, we give the second stanza as it appeared in the "Germ," to which we prefix the first stanza as it reads in the volume before us: —

"The blessed damozel leaned out
From the gold bar of heaven;
Her eyes were deeper than the depth
Of waters stilled at even;
She had three lilies in her hand
And the stars in her hair were seven.

"Her robe, ungirt from clasp to hem,
No wrought flowers did adorn,
But a white rose of Mary's gift
On the neck meetly worn;
Her hair, lying down her back,
Was yellow like ripe corn."

In the new edition we have this reading of the last four verses, which we give by way of illustrating briefly the nature and effect of the changes that have been made: —

"But a white rose of Mary's gift
For service meetly worn;
Her hair that lay along her back
Was yellow like ripe corn."

In the first stanza, too, there have been similar changes. Formerly

"Her blue, grave eyes were deeper much
Than the deep water even," —

the color of the eyes having now been changed apparently from blue to dark; and the verses smoothened and modernized a little. These alterations are less considerable than many others which the author has made, but they illustrate as well as any others our remark as to the kind of alterations that have been made.

Of the rest of the books we have little to say as regards particular pieces. The sonnets descriptive of pictures will no doubt be accepted as skilfully interpretative by many persons who know already the pictures upon which they are based; and doubtless the sonnets giving subjects for pictures will have a value in the eyes of artists, which they can hardly have in those of literary readers. We may venture to say that they seem to us, as sonnets merely, not very good; although they are carefully constructed and are in that respect to be commended, as well as for occasional happinesses of thought. The same thing we should say of the other sonnets, but not without selecting one or two as examples of Mr. Rossetti's general weakness, both as concerns his capacity of thought and his over-warmth of temperament. It is something very like morbidly gratified sexual sensuousness, too, that we discover in "Jenny," a poem in which a young man "moralizes" a young woman of the town whom he has accompanied home from a place of amusement, and comments on her way of life and her probable character and fate after the manner of Mr. Browning in his analytical moods. It is the fashion to say of such things, that, although it is difficult to see how the author contrived it, he has managed with consummate skill to avoid the intrinsic indelicacy of his subject. As a matter of fact, however, it may be doubted if the inherent indelicacy is not what he just has not avoided; and whether all writers who practise this sort of morbid anatomy do not do something towards debauching the minds of a certain number of their readers. Such things tend, we imagine, to confound the distinction between morality and immorality, and have much the same effect as the prurient moral novels with which M. Feuillet, or the excellent M. Dumas *fils* occasionally buttresses the foundations of society. Another piece in which Mr. Rossetti shows that he has felt the influence of Mr. Browning is "A Last Confession," which is one of the most direct and simple poems in the volume, and perhaps the one which is most fairly on a common and ordinary level of thought and sympathy. Worthy of mention, too, for various reasons, are "Eden Bower," with its curious legend and successful versification which not even the device of a burden can destroy; "The Woodspurge," for its truthful, forcible presentation of the facts of external nature, and of the psychological fact that sometimes, in moments of the greatest pain and distress, some trivial thing will impress itself ineffaceably upon the memory; "The

Honeysuckle," also, which succeeds "The Woodspurge," and like it has one or two of our author's exasperating bits of quaintness, is both pretty and true, and may almost be set down with its companion as making the most satisfactory pair of poems in the book; the translations from the French of Villon are felicitously done; and if there is anybody who wants to get at once a full mouthful of mediævalism such as may keep him cloyed for a good while, and who has not at hand Mr. Morris's "Defence of Guenevere" where the poet is a little better concealed and the mediævalism is more out and out hot and strong, we advise him to turn to "John of Tours," "Sister Helen," "The Staff and Scrip," and "My Father's Close."

To whatever the reader turns he will, we think, as we have said, come at last to the conclusion that Mr. Rossetti is essentially a subjective poet who deals with the passion of love, and who has at command a set of properties which have the advantage of being comparatively new and striking to most readers and have the disadvantage of being thought by most readers to be merely properties. And the love to which he confines himself will be found to be at bottom a sensuous and sexual love, refined to some extent by that sort of worship of one's mistress as saint and divinity which the early Italians made a fashion, certainly, whether or not it was ever a faith by which they lived. It is, we take it, to his long study in this school that Mr. Rossetti owes much of this turn that his thoughts take. See, for example (to instance hastily), how in his own translation of Giacomino Pugliesi's poem "Of his Dead Lady," the lover anticipates the Blessed Damozel going to God with her lover by the hand and asking that his and her heaven should be merely to be together as on earth: —

> "Had I my well beloved, I would say
> To God, unto whose bidding all things bow,
> That we were still together night and day."

And here again, by the way, in Jacopo da Lentino, is a hint of less consequence for the yearning of the damozel: —

> "I have it in my heart to serve God so
> That unto Paradise I shall repair, —
> The holy place through the which everywhere
> I have heard say that joy and solace flow, —
> Without my lady I were loath to go,
> She who has the bright face and the bright hair."

Besides its sensuousness and its sort of ecstasy, sadness and dejection characterize Mr. Rossetti's love, which sheds tears and looks backwards with regret, and forwards without cheerfulness, and yearningly into the mould of the grave, as often as it looks backwards upon remembered raptures and forwards to an eternity of locked embraces and speechless

gazing upon the beloved. His love is, on the whole, rather depressing. It is, however, past doubt that, although the world at large is not going to give Mr. Rossetti anything like the place that has been claimed for him, — though it is even probable that the fashion of his poetry will very soon pass away and be gone for good, and the opinion of his genius fall to an opinion that he is a man of the temperament of genius lacking power to give effect, in words at least, to a nature and gifts rare rather than strong or valuable, nevertheless it will be admitted that he is an elaborately skilful love-poet of narrow range, who affords an occasional touch that makes the reader hesitate and consider whether he has not now and again struggled out and really emerged as a poet worthy of the name. We cannot say that in our own case the hesitation has ever lasted long. Nor can we say that we have not oftener hesitated and almost made up our mind to say of him, that he is very unprofitable, — a writer so affected, sentimental, and painfully self-conscious that the best that can be done in his case is to hope that this book of his, as it has "unpacked his bosom" of so much that is unhealthy, may have done him more good than it has given others pleasure. Of course to say so would be to speak far too harshly, and would convey a false impression. To say so would, however, express accurately enough one mood of mind into which the reader is thrown during the perusal of these poems; and it would really be no falser than very much of the praises which they have called out.

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3. — *History of the Norman Kings of England. From a new Collation of the Contemporary Chronicles.* By Thomas Cobbe, Barrister of the Inner Temple. London: Longmans, Green, & Co. 1869. 8vo. pp. xciii, 387.

Mr. Cobbe's history of the Norman Kings will serve very well for a while as a continuation of Mr. Freeman's incomplete work. It commences at the point which the latter has just reached, — the Conquest, and continues to the death of Stephen. Further, the two writers agree sufficiently well upon the nature of the early Constitution, and — what is more to the purpose — the nature of the Conquest, and the relation which the new king sustained to the English people. On the rather unimportant point whether Edward the Confessor nominated Harold as his successor, Mr. Cobbe doubts where Mr. Freeman believes; but on the more vital questions of the legitimacy of Harold's royalty, and the utter nullity of William's claims, they are entirely at one. Mr. Cobbe would vex the soul of Mr. Freeman by his use of the word *Saxon*, and

he seems to hold more nearly the old views as to the introduction of the Feudal System by William. But then he pays very little attention to points of this sort, and as Mr. Freeman has not yet arrived at the full discussion of it, it makes little difference after all. As a writer, the two are not to be compared; for Mr. Freeman's graphic and vigorous style forms a strong contrast to the strange use of language which prevails in this volume. Mr. Cobbe's style is indeed a very vicious one, abounding in participles and relatives, in unusual and obsolete words and in short, jerky sentences. Thus, page 282, "Tidings spread throughout the land. The empress had come to try her cause. The issue, already in use, enhanced by so much, approached the crisis. England alarmed, every malcontent took heart; but the spirit of all royalists veiled." Sometimes there is a real vigor in these short sentences, as, page 207, at a Synod at Westminster: "Seventeen articles, mostly inconvenient, were now added to men's conscience." But in general they serve to disprove, if it needed to be disproved, the popular superstition that vigor and picturesqueness reside in short sentences. And as for Mr. Cobbe's vocabulary, he delights in such terms — probably taken bodily from his chronicles, — as *renege*, *denay*, *facete*, *métier*, *wiseand*, *haut* barons, to *edify* a castle, and *racial* stimulus (for stimulus of race).

These faults of style are more prominent in some portions of the work than in others; where Mr. Cobbe is strongly interested, he writes freely and vigorously, in a more natural and quite agreeable style. And his narrative of events, which in the reign of Henry Beauclerc — whom he hates — is confused and clumsy, warms into life under Stephen, — whom he likes, — and becomes animated and clear. He gives one hundred and thirty-five pages to Stephen's twenty-nine years, while Henry's thirty-five have only a hundred. So that this dreariest and most anarchical portion of English history really becomes somewhat comprehensible in his hands, and this is perhaps the best service that Mr. Cobbe has done to historical study in this volume.

We will quote a passage from the Preface, page xxviii, as a specimen of Mr. Cobbe's best style, in spite of an excessive bluntness of expression, and of some of his prevailing faults. He is speaking of the monkish chronicles, and describing the manner in which they depict the four Norman kings.

"In these writers William stands before us harsh, rapacious, yet not forbidding wholly nor without recognition for some greatness; as a soldier, courageous to the height, if not chivalrous; as a statesman, true to his purpose, careful of his prize. A king of men, ruling by the sword, austere, awful, in whom the majesty of the realm might shine

awhile. Scarcely heroic, yet capable in his work; captain of a gang of robbers, too, to whom the country was an exchequer; chaste, voracious, silent, friendly, cautious, fearless; whom few of his sort surpass.

"Rufus — in whose time 'men obeyed the king rather than justice,' too coarse to be really magnanimous; potent in the flesh 'as a young bull'; one sinning 'as it were with a cart rope'; who, with the palace-lights, quenched shame — they portray great in arms, in affairs rude; ignorant in all things, offensive; one scarcely redeemed from abhorrence by pity; a projector, not, as his father, fortunate; and with this other difference that, whereas the one utilized the religious sentiment as a social bond, the other defied God and man.

"Henry, the clerk and favorite of clerks, clerks show selfish by rule and line, void of natural affections, consummately practised in double-dealing, 'of designs inscrutable.' They reverence him, but they distinguish not between his successes and the means thereof. Ascribing glory to the Almighty for his three chief gifts, wisdom, victory, wealth, they gloze over the perfidy, the ambition, the avarice, which they note in him. He merited the praise of churchmen by foundations, by address in ecclesiastical concerns, by timely deference to class prejudices. He restored the nightly torches in his palace; but in the blaze of panegyric we discover his demerits.

"Stephen they admire while greatly blaming. Aware that through gentleness he ruined peace, they sedulously separate the man from the miseries of his reign. They point to his prime perjury as if it were a peculiar taint in him affecting his cause, and withal work out a *Nemesis* through the treasons of his subjects; forgetful that King Henry had caused the nobles to forswear themselves in the matter of the treaty with Duke Robert, and had thriven notwithstanding."

Mr. Cobbe might easily take high rank as an historian; for he is industrious and honest, and while maintaining his impartiality, shows a sympathy and personal interest in his characters, which is a valuable quality in an historian. But after all, one gathers nothing so distinctly from reading this book as the confirmation of one's previous impression that the reigns of these Norman kings were not worth knowing, and that the sooner they are forgotten the better. Yet this impression is not a correct one. The *events* of these reigns are, it is true, confused and unimportant; and it was hardly worth while to spend so much labor on what is, after all, a mere chronicle of dreary wars and intrigues. But with all the confusion and anarchy, in which the Norman period resembles the later Carolingian period, it resembles it likewise in its real historical value. These obscure and tiresome years possess great constitutional interest, if we could

only get at it; for it was during these years that the Feudal System was developed in England, just as it was during the later Carolingian period on the Continent; in these years it was that the old Constitution of England was forgotten, and that the nation was prepared by degrees for that new life that began under the Plantagenets. It is not, therefore, these dull campaigns, these plots and treasons and cruelties, that the reader wants. Mr. Cobbe has done a service in bringing some order out of the tangled snarl of the chronicles; but he would have done better still if he had attempted to do for the constitutional changes what he has done for the dynastic events. And it is not that he lacks power for this, for his best passages are those in which he leaves the annals, and analyzes character or motives, or describes ecclesiastical events,— for in regard to these he has done some good work; witness the account of the Council of Rheims, held by Pope Calixtus II. But as Mr. Cobbe neither attempts himself to unravel the constitutional history of this epoch nor gives us the materials to do it for ourselves, we must wait in patience for Mr. Freeman's closing volumes, having entire confidence that in them we shall find just what we want.

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5. — *The Public Records of the Colony of Connecticut from October,* 1706, *to October,* 1716, *with the Council Journal from October,* 1710, *to February,* 1717, *transcribed and edited in accordance with a Resolution of the General Assembly.* By Charles J. Hoadly, Librarian of the State Library. Hartford: Press of Case, Lockwood, and Brainard. 1870. 8vo. pp. 612.

No community in the world has so good a printed record of its administrative history as Connecticut. Nothing of the kind could be possessed by European nations, with their origins in times when there was no printing and little writing, and with their very different methods of transacting public business. The governments of our New England plantations kept their journals from the first. Those of Massachusetts and of Plymouth down to the time of the Revolution of the seventeenth century have been excellently well produced in print by Mr. Shurtleff and Mr. Pulsifer; but their plan, determined by the legislative order under which they acted, did not admit of such illustrations from collateral sources as have been collected by the Rhode Island and Connecticut editors. Mr. Bartlett's "Records of the State of Rhode Island and Providence Plantations," covering, as far as the extant materials allow, the whole ground from the beginning to the year 1792, is extremely rich in such illustrations, but it is necessarily less satisfactory,

on account of the loose habits of the eccentric people of those colonies in respect not only to the keeping of records but to the transactions which make the matter of public registration.

All persons interested in our New England history know the extraordinary exactness, fulness, and rare merit in all respects, of Mr. Hoadly's "Records of the Colony and Plantation of New Haven" from the beginning of that community in 1638 to its political extinction in 1665, and of Mr. J. Hammond Trumbull's "Public Records of the Colony of Connecticut" from the beginning in 1636 till the revival of the old government in 1689 after the usurpation of Sir Edmund Andros. Mr. Hoadly's two later volumes, of which the second is now before us, contain the records of the General Court of Connecticut (constituted after 1698 of two branches) from 1689 to the end of 1716, the third year after the accession of the House of Hanover to the British throne. As much of the contemporaneous journal of the Council, or Board of Magistrates, as has been preserved, has been incorporated into the record, with the convenient distinction of a smaller type. Some orders, not appearing on the colonial journals, but known from other documents to have been passed, are inserted in their historical place with a similar mark of discrimination.

An interest of the most agreeable kind attaches to the passage of history to which these two volumes relate. Enjoying, unlike both New Hampshire and Massachusetts, both a government strictly her own, and immunity from the ravages of French and savage war, — unlike Rhode Island, the tranquil order of a religious population, — Connecticut was the happiest of the colonies of New England. Her towns, rising within the period from thirty to nearly fifty in number, had each its church and its educated minister. Her free schools raised all her children above the hardships and the temptations of poverty, and prepared them for the discharge of the duties of virtuous citizens. The agricultural industry, which mostly employed her people, was favorable to health, frugality, content, and love of freedom. Her caution, and the less urgent demands upon her for costly military preparations, had saved her from incurring heavy debt, and she had little share in the financial embarrassments which weighed so heavily on the more powerful colony. Her relations with the mother country brought little occasion for conflict or alarm. Encouraged by the prospect of permanent self-government, as the danger of interference from England seemed to diminish, Connecticut might address herself — as she did, with the wise solicitude which these volumes attest — to measures for the improvement of her institutions and the well-being of her people.

Mr. Hoadly's last volume covers one half of the time of the benefi-

cent administration of the only clergyman who was ever chief magistrate of a New England colony. The Reverend Gurdon Saltonstall, then of New London, afterwards of New Haven, was chosen Governor of Connecticut in 1707, after the third John Winthrop's death, and was continued in this office by successive elections till his own death in 1724. In the critical period through which he conducted the administration there was revealed a widely-reaching dissatisfaction with the ancient strictness of religious rule. His energetic character sustained as much as was then defensible of the ancient rigor, and helped to devise securities for it in the famous Saybrook Platform. With a grand love of learning, which he brought from Harvard College, he drew freely from an affluent fortune to build up in his adopted home the college at New Haven, which through the succeeding generations has so magnificently rewarded his care. With an obstinate prudence which would not be mystified nor coaxed nor bullied, he kept his colony out of the raging whirl of paper money, holding within such limits its promises to pay, extorted by the ill-fated expedition for the conquest of Canada, that many years passed before they ceased to have the whole value which they represented, and the depreciation never became considerable. His hand upon the helm was always firm and steady. No wonder if some thought it heavy and rough. His abilities, energy, various accomplishments, and generous public spirit everybody had to own, whatever grudge they bore him. No name, on the long list of Connecticut worthies, weighs for more in the establishment of that character which through generations not a few clung to "the land of steady habits." The record of the administration which he superintended deserves the admirably well-furnished and skilful diligence which has been expended upon this volume.

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6. — *The Iliad of Homer, Translated into English Blank Verse.* By William Cullen Bryant. Boston: Fields, Osgood, & Co.

Among the various theories according to which poems have been translated, two seem to us to be sound. Both are founded on the fact that the distinctive and inimitable part of a poet is his style, and the fact that the forms of his verse are essentially native to the language in which he writes. To illustrate the first proposition: The parting of a soldier from his wife and child before a battle is an incident repeated a million times in every century. The parting of Hector and Andromache is made by a poet's style the one immortal incident of the kind. To illustrate the second proposition: Latin and Greek verse is

founded on the quantity of the syllables. English verse is founded on accent. Hence the resemblance of an English metre to a Greek or Latin one can be only accidental and superficial. If Milton had been native to the Latin language, he must have written his poem in Latin hexameters. If Homer had been native to the English language, he would have written the Iliad in blank verse or in heroic couplets. The ancients agreed with those moderns who think the accented hexameter essentially a bad verse.

Of the two kinds of translation which we like, one is an exact rendering of the original text into idiomatic prose. The other kind can be made only by a poet who reproduces the thoughts and pictures of the original in his own style, and in a metre native to his own language. Hence we consider Pope's Iliad, with all its faults, more like Homer's than any other poetical translation, just as some living hero is on the whole more like Achilles than any statue. All other poetic translators, except Chapman, are between these extremes. They compromise difficulties of expression and difficulties of interpretation, trying to be either as literal as is consistent with versification, or as poetical as is consistent with literalness. Of these the best is Mr. Bryant. He has produced a better poem than any other of his school, and has adhered as closely to the text as any but the prose translators.

INDEX

TO THE

HUNDRED AND ELEVEN VOLUME

OF THE

North American Review.

Acts and Resolves of the Province of Massachusetts Bay, critical notice of, 236–245.

Art Museums, American, article on, 1–29 — public taste cultivated anciently, and in the Middle Ages by the temples, cathedrals, etc., 1, 2 — lack of such cultivation in America, 3 — progress in musical taste in Boston within thirty-five years, 4 — great cost of masterpieces in sculpture and painting, 6 — sum spent by England for art museums, 7 — what an art museum in America should have, — casts of statues, coins, gems, inscriptions, etc., 8, 9 — seven desirable classes of Greek casts, 10–12 — museums at Berlin, Paris, and Dresden, 12–14 — origin, management, and great benefits of the South Kensington Museum, 15–18 — the "Union Centrale" in Paris, 18, 19 — school at Molenbeck Saint Jean, near Brussels, 20 — People's Museum at Vienna, 20, 21 — museum at Moscow, 21, 22 — Bavarian museums, at Munich and Nuremberg, 23–25 — need of a central directing spirit to inaugurate and control such an enterprise, 26 — Harvard and Yale Universities must take the initiative in America, 27 — "Festina lente," 28.

Baudry, F., his *Grammaire Comparée des Langues Classiques*, critical notice of, 204, 205.

Bayle, Pierre, article on, 377–402 — greatness of the age to which he belonged, 377 — rebellion against authority inaugurated in fifteenth century, 378 — rapid progress of modernization in seventeenth century, 379 — the old conservatism, 380 — popularity of dialectics in seventeenth century, 381 — virulence of theological abuse, 382 — transition from the mammoth age of literature to the newspaper epoch, 383 — sketch of Bayle's life and works, 384–395 — his universal knowledge, 385 — no leisure for marriage, 385 — youth and changes of religion, 386 — professor of theology Sedan, 387 — his "Thoughts on Comet," 387 — "Critique Générale" Maimbourg, 388 — his "Nouvelles" — the first specimen of a Review, in 1388 — works on Persecution and Toleon, 389 — quarrel between him and Jurieu, 390 — Jurieu's character and posi, 390, 391 — the anonymous "Avis aux fugiés," 392 — Goudet's plan for pacification of Europe, 393 — Jurieu succeeds displacing Bayle from his professorship of philosophy at Rotterdam, 394 his death, 395 — his style, 395 — his theological opinions, 396 — apparent defence to faith — 397 — Protestant dissent of him, 398 — his intense dislike of fanatism, 400 — nature of his philosophic scepticism, 401.

Bowen, Francis, his American Political Economy, critical notice of, 246–250.

Brachet, Auguste, his Historical Grammar of the French Tongue, translated by Gitchin, critical notice of, 230–235.

British Neutrality during the Civil War, 258–282.

Bryant, William Cullen, his Translation of the Iliad of Homer, critical notice of, 485.

Chaucer, article on, 155–198 — his springtide wholesomeness and freedom from self-consciousness, 156 — Occleve's portrait, 157 — probability that Chaucer met Petrarch, 157 — describes himself in the Clerk of Oxford, 158 — his good faith proved, 158 — his age, 159 — great value of the six-text edition of the Canterbury Tales, published by the Chaucer Society, 159 — nature of the originality of great poets, 161, 162 — Chaucer's small indebtedness to Latin authors, 162 — shallow and artificial character of the Troubadours, 163–167 — *naïve* and vigorous character of the Trouvères, 167–169 — German influence on French poetry, 169, 170 — general characteristics of the Saxons, — common-sense, solidity, reality, 171–173 — bold rugged style of their literature, 173, 174 — lightness and grace

infused by Norman elem174 — Chaucer the first illustration of the two elements, 174, 17haracter of the contemporary poe- 177 — his service to the English uage, 177 - 183 — Gower's genius fo tedious, 178 — points of likeness likeness between Chaucer and thor of "Piers Ploughman," 179 - 1 Coleridge's criticism of the prosod ertain poets, 185. 186 — Chaucer baerved by copyists, 188 — his metho felicity in description, 188 - 194 — rence between him and Shakespeare spect to action of imaginative facu 91 — his simplicity, 192 — sympat 94 — originality, 195 — sincerity, 19 broad humanity, 198.

China, competitive examination 62 - 77.

Clark, Thomas, his Students' Ha ok of Comparative Grammar, critic otice of, 199 - 201.

Cobbe, Thomas, his History of th man Kings of England, critical notice 480 - 483.

Competitive Examinations in Chi rticle on, 62 - 77 — the arts for which are indebted to the Chinese, 63 — acter and duties of the mandarins, 6 their high status and how they gain 65 — antiquity of competitive examins in China, B. C. 2200, 65 — the "sirts" required under the Chan dynast 66 — extension of the range of subject nder the Han dynasty, 66 — requirem under the present *régime*, 67 — wha holarship in China now implies, 6 the mode of conducting examinations the several grades, 68 - 71 — for the udding Geniuses," 68 — for "Pr ted Scholars," 69 — for those "Rea for Office," 70 — for the "forest of pe ls," 70 — selection of the scholar-laure and the honors bestowed on him, 71 age and ardor of the competitors, 72 — ecimens of the questions proposed, 73 — advantages of the system, a safety lve for dangerous ambition, 75 — intr ces a popular element into the gover ent, 75 — secures the loyalty of the ed ted class, 76, — jealousy with which th purity of the system is guarded, 76 - possibility of adopting with advantage me similar system in this country, 77.

Congressional Reform, article on, 330 351 — political incapacity of the leader produced by the antislavery agitation 330 — slovenly mode of doing Congressional business, 331 — separation and diffusion of responsibility, 331 — no proper initiative of legislation, 332 — preparation of bills by committees favors to corruption, 333 — benefits likely to result rom having Cabinet officers participate in Congressional discussions of matters pertaining to their respective departments, 334 - 350 — what the Secretary of the Treasury might do, 334, 335 — history of our consular pupils, 336 — of the treaty with Denmark respecting St. Thomas, 337 — need of reform in civil service, 338 — abuses in the Indian Department, 339 — land-grants to railways, 340 — Pall Mall Gazette's criticism of our confused mode of legislation, 340, 341 — need of reform in financial legislation, 341 - 344 — advantages of the English system and points of difference between it and the system here recommended, 344, 345 — proposed reform not inconsistent with the Constitution, 345 - 347 — how it may be effected, 347 - 349.

Currency, Our, Past and Future, article on, 78 - 101 — perplexing and intricate character of our fiscal and financial problems, 78 — the mystery of currency, 79 — error of the assumption of most writers on money that trade originally consisted of barter, 80 — probably consisted of loans, 81 — illustrated by Du Chaillu's account of African commerce, 81, 82 — money a personal ornament temporarily pledged as security for merchandise borrowed, 83 — money exists only as security for borrowed merchandise, 85 — at a certain stage of civilization the money in existence is precisely equal to the total value of all the merchandise at that time borrowed, 86 — origin of coin, 87 — deficiency of coin the occasion of using paper money, 89 — the amount of paper money required is measured solely by the amount of merchandise borrowed, 91 — amount constantly fluctuating, 91 — the less coin in use the greater the need of paper money, 92 — statistics of amount of coin converted into ornaments in England, 93 — there should be no legal restriction on the amount of paper money issued, 94 — paper money redeemable in coin an absurdity, 95 — redemption required only to settle balances and test the solvency of the issuers, 97 — redemption in United States securities the only redemption practicable, 97 — redemption prevented by making bank currency free, 98 — present currency promotes speculation, 99 — sketch of a perfect currency, such as ours is to be, 100, 101.

Du Chaillu's account of African commerce, 81.

English Aristocracy and English Labor, article on, 352 - 377 — condition of people of England after Roman conquest, 352 — after the Norman, 352, 353 — Blackstone's exaggeration of the extent of the rights secured by Magna Charta, 353 — when villainage ceased, 354 - 365 — *Statute of Laborers*, passed under Edward III., 357 — Wat Tyler's insurrection, its causes and suppression, 359 — origin and character of English Poor Laws, 360, 361 — villains regardant and villains gross, 364, 365 — law of parochial settlement, 368 — system of unions

devised by a commission in 1832, its speedy failure, 369 — regulating wages by statute, 370 — condition of "agricultural gangs" in 1867, 371 — decrease in number of land-owners, 374 — emigration favored as a relief from poor-rates, 375 — will the English aristocracy have the heroic wisdom to remove the evil and save themselves? 376.

Examinations, competitive, in China, 62–77.

Ferrar, William Hugh, his Comparative Grammar of Sanskrit, Greek, and Latin, critical notice of, 201, 204.

France under the Second Empire, article on, 402–444 — most prominent characteristics of the Napoleonic era, military supremacy and authority, 402 — conservatism and hero-worship among the French peasantry, 403 — Louis Napoleon's use of this, 404 — why the *bourgeoise* voted for him, 404 — character and functions of the Senate and Corps Legislatif after the *coup d'état*, 406 — Napoleon's control of the press, 407 — manipulation of education, 407 — measures to gratify and restrain the laboring classes in the large towns, 408, 409 — improvements in Paris, 409 — political monstrosity of the Napoleonic system, 411 — election of five liberals to legislative body in 1857, the Orsini conspiracy, 411 — Napoleon's apparent return to more liberal measures, 412, 413 — Jules Favre's demand for freedom of the press, and M. Billault's reply, 414 — *Senatus-consulte*, permitting publication of debates under certain restrictions, 415 — suppression of two opposition committees, 416 — result of the election of 1863, 417 — remarkable imperial speech in 1866, 419 — vote in the legislative body on an amendment, 420 — M. Ollivier's speech, 421 — the Emperor's connection with the negotiations preceding war of 1866, 422–425 — letter to Drouyn de Lhuys, 424 — dismissal of de Lhuys, 426 — de La Valettes and Rouher's astounding elucidation of the Emperor's position, 426, 427 — object of the Universal Exposition of 1867, 427, 428 — theory of politics held by the French rural population, 429 — Emperor's concessions in January, 1867, and his dishonesty in yielding them, 430 — multiplication of papers in consequence, 431 — alienation of the Emperor's rural constituents, 432 — effect of conscription on the increase of population, 433 — effect of the new military law of 1867, 434 — volcanic condition of sentiment at close of 1868, 434, 435 — concessions rendered politic by the election of 1869, 436 — Ollivier's appointment as Premier, 437 — the plebiscitum and how it was carried, 437–439 — threatening aspects of the vote, 439, 440 — Emperor determines to play his last card, a great war, 440 — suddenness of his fall and its lessons, 441, 442 — what comes next? 443.

Hettner, Hermann, his Literaturgeschichte des achtzehnten Jahrhunderts, critical notice of, 217–222.

History, the Method of, article on, 311–329 the ancients knew no universal history, 311 — remarkable exception in the Book of Genesis, 311 — great development of historical science in fifteenth and sixteenth centuries, 312 — first fully stated by John Baptist Vico in 1725, 313 — his conclusions, 313 — history subject to law, 314, 315 — without infringing on freedom of will. 315–317 — the unity of historic man, his origin in Western Asia, 318 — liberty and right, products of the state, 320 — fallacy of Rousseau's theories, 320–322 — the state the parent and condition of morality, 322 — property has developed the idea of right, 322 — man's progressive development, 323–329 — necessity and benefits of war, 324, 325 — periods of migration, 326, 327 — alternation of imagination and reflection in successive epochs, 327, 328.

Hoadly, Charles J., his Public Records of the Colony of Connecticut, critical notice of, 483–485.

Labor Question, The, article on, 122–155 — who constitute the laboring classes, 122, 123 — trades-unions prevent the increase and improvement of houses, 125, 126 — of clothing, 127 — higher wages not necessarily an advantage to laborers, 128–130 — definition of capital, 131, 132 — how the profits from capital benefit laborers, 133, 134 — hardly less than if they owned the capital, 135–137 — every non-capitalist interested in his neighbor's being provident, 137 — lowest rate of profit for which men are willing to save, 138 — how strikes do not benefit the strikers, 139, 140 — success of co-operation in the colliery of Briggs & Co., South Yorkshire, 141 — what co-operation cannot do, 142 — a hypothetical printing-office, 142, 143 — difficulty of fixing rate of wages, 144 — lack of statistics respecting laboring class in this country, 146 — indifferent success of "union stores," 147 — what causes the difference between wholesale and retail prices, 148 — co-operative system, to be successful, must include capitalist as well as laborers, 149 — no sudden or universal improvement possible, 150 — the right to the soil, 151 — folly of Congress in making vast grants of land to railroads, 152 — policy of introducing study of political economy into the public schools, 153, 154.

Lea, Henry C., his Studies in Church History, critical notice of, 208–211.

Limits of Natural Selection, 282–311.

Luther and the early German Struggles for Freedom, article on, 102–121 — King William's decree ordering a commem-

oration of Luther's birthday, 102 — the early German Constitution, 103 – 105 — origin of the *Eidgenossen*, 105 – 108 — conflicts between patricians and plebeians, 106 — towns included in the *Eidgenossen*, 107 — the Reformation spirit in the epoch of the Crusades, 108 — the *Hansa*, and its defeat, 109 — the "War of the Peasants," or the Reformation, 110 – 121 — the Luther monument at Worms imperfect by omission of some prominent figures, 110 — manifold original aims of the Reformation, 111, 112 — opportunity for Charles V. to do what Henry VIII. did afterward, 112 — Luther's prevision of the outbreak, 113 — his warning to the rulers, 114 — his "Exhortation to Peace," 115 — subsequent adhesion to the imperial side, 116, 117 — the *Bundschuh* and the *Arme Konrad*, 117 — the papers of the "Constitutional Committee," 118 — extent of the insurrection, 118 — destruction of feudal robbers' nests, 119 — after the rising of 1525 the Reformation became exclusively religious, 120 — Michelet's tribute to Luther, 120 — the martyrdom of Germany in the Thirty Years' War, 121.

Mommsen, Theodore, article on, 445 – 465 — his complete preparation for writing of Roman history, 445 — his philological acquirements, 446 — skill in deciphering and interpreting inscriptions, 447 — close study of remains of ancient art, coins, &c., 447 — legal training, 448 — his happy combination of juridical and philological knowledge, 449 — no doctrinaire, 450 – 452 — emphasis with which he brings out the opposition between the original patrician constitution and the order of things when foreign elements were incorporated into the state, 453, 454 — contests between patricians and plebeians, 455 — transition from Republic to Empire, 456, 457 — three defects of antiquity, — slavery, the idea that the state was inseparable from the city, and lack of faith in the popular religion, 458 — reform of Tiberius Gracchus, 459 — of Caius Gracchus, 460 — points of resemblance between Rome after the Gracchi and America after Andrew Jackson, 462 — but America has a healthy social organization, 462 — a vigorous middle class, influential in political affairs, 463 — and an active practical religion, 463 — Mommsen's style, 464.

Mulford, E., his The Nation, critical notice of, 465 – 471.

Natural Selection, Limits of, article on, 282 – 311 — unexampled success of the Darwinian theory, 282 — Mr. Wallace's tribute to Mr. Darwin's extraordinary skill in presenting it, 283 — same result reached by both, in perfect independence of each other, 284 — points of dispute between Natural Selection and Natural Theology, 285 – 288 — great value of Mr. Wallace's Essays, 288, 289 — criticisms on his arguments to prove that the human mind cannot be a product of Natural Selection, 290 – 311 — lack of hairy covering, 290 – 292 — the vocal powers, 293 — bulk of brain, 294 – 298 — sense of right and wrong, 298 – 300 — origin of consciousness, 300 – 304 — the Will, 305 – 310.

Neutrality, British, during the Civil War, article on, 251 – 282 — new position into which the war brought the United States, 251 — questions arising from the progress of society during the previous half-century, 252 — interest manifested by European publicists in international questions growing out of the war, 253 — Bernard's Historical Account of the Neutrality of Great Britain during the American Civil War, 253 – 282 — his candor, 254 — excellence of his general plan, 255 — his estimate of the nature of the revolt and the difficulties encountered by the United States in putting it down, 256 — peculiar features of a civil war, 257, 258 — when revolted states have a right to be recognized as belligerents, 258 – 264 — precedents, 260 – 264 — British government justifiable in issuing the proclamation of neutrality, 264 – 266 — the Trent case, — opinion of Dr. Twiss, of Oxford, 266 – 268 — questions arising from the blockade of Southern ports, 268 – 274 — British remonstrance against obstructing Charleston Harbor, 269 — contraband trade with Nassau, 270 – 273 — capture of goods going up the Rio Grande, 273 — case of the Emily St. Pierre, captured near Charleston, recovered and taken to Liverpool, 273, 274 — the Alabama question, 274 – 278 — British Foreign Enlistment Act, 277 — proposed changes in English neutrality laws, 278 — desirableness of amending the law of nations so as to prohibit all contraband trade, 279, 280 — to prevent burning of captured vessels, 280.

Newman, John Henry, his Essay in Aid of a Grammar of Assent, critical notice of, 222 – 230.

Peile, John, his Introduction to Greek and Latin Etymology, critical notice of, 205 – 208.

Recent Publications, 250.

Rossetti, Dante Gabriel, his Poems, critical notice of, 471 – 480.

Session, The, article on, 29 – 62 — the issue with antiquity joined by the framers of the United States Constitution, 29 — their suspicion of power, 30 — interference of the civil war with their theory, 31 — brilliant opportunity afforded President Grant's administration to sustain it, 31 — enigmatical character of the President, 32 — the riddle of his Vicksburg campaign, 33 — his idea of his duties as President, 33 — need of having educated and capable Cabinet officers,

34 — official importance of the Secretary of the Treasury, 35 — Mr. Boutwell's equal indifference to political economists and practical business men, 36 — his policy, 37 — likeness to Mr. Vansittart, 38 — confines his efforts to mere departmental activity, 39 — necessity of President Grant's administration at the outset opposing the centralization of power in Congress, 39 — its failure, 40 — want of harmony between the President's first message and the recommendations made by Secretary Boutwell, 40 — repeated triumphs of Congress over the administration, 41 — antagonism of many features of reconstruction to the original theories of the government, 42 — the struggle on revenue reform, 43 - 46 — decision of Supreme Court on Legal Tender Act, as applied to debts contracted before its passage, 47 — opposition of the administration, 48 — appointment of Judges Bradley and Strong, 48 — Attorney-General Hoar's motion to reopen the question, 49 — by the aid of the two new judges a majority gained for reopening it, 51 — peril of the court, in dignity if not existence, 52 — how escaped, 53 — foreign policy of the government steadily to absorb all neighboring territories, 54 — this purpose enters into all complications of this country with Great Britain, 55 — rejection of the St. Thomas treaty, 56 — neglect to interfere in Cuban affairs, 56 — no annexation within the tropics, 57 — the San Domingo treaty and its rejection, 57 — success of executive measures must now be bought by public patronage, 58 — no responsibility in any branch of the government, 59, 60 — Congress creates more monopolies than it tries to restrain, 61.

Yonge, C. D., his English-Greek Lexicon critical notice of, 211 - 217.

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